BRITISH COLUMBIA

Ministry of Housing
and
Social Development

Liquor Control and Licensing Branch

Special Occasion Licence Policy Manual

Last Update – January 2009

LCLB208

THIS POLICY MANUAL

This policy manual is intended for use by:

- Liquor Control and Licensing Branch (LCLB) staff
- Liquor Distribution Branch (LDB) staff
- Rural Agency Stores
- police authorities
- local governments, and
- Committee(s) to Approve Public Events (CAPE) for the administration of the special occasion licence provisions of the Liquor Control and Licensing Act and Regulation.

Questions and Requests

Please direct all questions and special requests related to special occasion licences to:

Administrative Assistant
Special Occasion Licences
Liquor Control and Licensing Branch
2nd Floor, 1019 Wharf Street
Victoria, BC, V8W 2Y9
(250) 387-1254,
or toll free at 1-866-209-2111
lclb.lclb@gov.bc.ca
Web site: www.hsd.gov.bc.ca/lclb

Special Occasion License (SOL) Manual - Update Summary

Date	Update Description	Updated Pages
April 2009	**Applicant Eligibility**	**Section 1:** 1.0 1 & 2 **Section 2:** 2.2 2 2.3 3 2.4 & 2.4.1 3 & 4 2.4.2 & 2.4.3 5 2.5.1 5 2.5.2 6 **Section 3:** 3.0 1 3.0.3 2 3.1.1 3 3.2 4 3.3 & 3.4.2 5 **Section 4:** 4.2 2 **Section 5:** 5.2 2 **Section 8:** 8.2.1 2 8.3.2 2 8.8.6 4 8.9 4 **Section 12:** 12.4 2
October 2008	**Special Occasion Licenses (SOLs) and Donated Liquor/Auctions**	**Section 2:** 2.5.3 4 **Section 3:** 3.4.2 6 **Section 8:** 8.3.2 2
September 2008	**Policy Directive 08-06** Revision to Liquor Control and Licensing Branch policies concerning performances by exotic dancers and other adult-oriented performers.	**Section 9:** 9.0 2 9.0.1 2 9.0.2 3
June 2007	**Policy Directive 07-05** Serving It Right (SIR) Program	**Section 5**: 5 1 5.0.1 1 5.0.2 1 5.1 1 & 2 **Section 14** 3

There may be a delay before we are able to incorporate the changes noted in the Policy Directive into all relevant branch publications. We regret any inconvenience. The date the change takes effect is the date noted on the Policy Directive. See Policy Directives page on the Liquor Control and Licensing Branch website for list of recent Policy Directives – www.hsd.gov.bc.ca/lclb/publications/policy/

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SECTION I: Definitions

1.0 Definitions

Charitable purpose (and genuine charitable purpose)

refers to an event that is intended to relieve poverty, advance education or religion, or otherwise benefit the community, and includes the advancement of recreation, sports or athletics, aid to the disabled and handicapped, culture, and youth or senior citizens. [Liquor Control and Licensing Act, s. 1.]

Event or special occasion

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The term 'event' is synonymous with 'special occasion': the SOL is to licence an event at which liquor is served or sold. For example:

- a beer garden is licensed as a refreshment area for an event like a soccer game;
- a wine bar is licensed as part of a reception (where the event is the reception).

General manager

means the general manager of the Liquor Control and Licensing Branch and individuals delegated by the general manager pursuant to the Act. [Liquor Control and Licensing Act, s. 1.]

Indoor

means inside a building, trailer, camper, manufactured home, vessel, tent or other temporary structure that is enclosed in such as way that all people and goods coming into or leaving the structure must pass through clearly identified entrances and exits.

Licensee

is one or more individuals or an organization that holds a British Columbia liquor licence. The licence covers both the person in whose name the licence was issued and any person acting for the licensee, such as a manager or person in charge of an establishment in the licensee's absence.

Manager

is a person to whom the SOL licensee has delegated all authority for organizing and/or supervising the event including the supervision of any paid and unpaid servers and volunteers who provide service or assistance at the event.

Organization (and genuine organization)

is an organization which is registered under the Society Act or any other statute, or which is not registered but has a name, an organizational structure and a membership and which meets regularly or occasionally for a common social, cultural, recreational, religious, sporting or community oriented purpose and which is understood by its members to be an organization, not merely a group of friends or colleagues who socialize together.

Outdoor

is outside of any permanent or temporary closed-in structure and includes an open sided building, pavilion or tent which the public can see into or any place which is enclosed by a fence or other means of defining the boundaries of the outdoor location, such as a picnic table in a park.

Private place

is a residence, a closed office or a business closed to the public, unless the special occasion is of such a nature as to draw the attention of members of the public.

Public place

is any place open to, or in view of, the public and includes a place, building, passenger conveyance, boat or land which is open to the public or the public are allowed to enter and use and a motor vehicle located on land on which the public is allowed: examples of public places are parks, open rooms in a community center, rented banquet rooms or meeting rooms in hotels, a business open to the public or an outdoor location such as a park or parking lot. [Liquor Control and Licensing Act, s. 1.]

Residence

is a building or part of it, or a trailer, camper, manufactured home, tent or vessel that is genuinely and actually occupied and used by the owner, lessee or tenant solely as a:

- private dwelling,
- private guest room in a hotel, motel, auto court, lodging house, boarding house or club, or
- private summer dwelling, or a private dwelling or living place used during vacation periods or a private lodge, or
- a building or part of it designated by the general manager as a private dwelling, together with the land that is essential or appropriate for the convenient use, occupation and enjoyment of the residence. [Liquor Control and Licensing Act, s. 1.]

A lodging or boarding house includes a "bed and breakfast" establishment.

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The common room of a condominium or strata complex is considered part of the residence of a condominium or strata unit owner or tenant. When the room is booked for a private social function by residents, no SOL is required to serve liquor. (An SOL would be required, as usual, if there was a direct or indirect charge for the liquor.)

Special Occasion Licence (SOL)

is a licence issued under s. 7 of the Liquor Control and Licensing Act.

Start time of an event

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is the time when an event starts, not the time liquor service begins.

Store manager

is a person appointed as a store manager by the general manager under the Liquor Distribution Act. [Liquor Control and Licensing Act, s. 1.]

SECTION 2: Overview

2.0 Legislative Authority for Issuing Special Occasion Licences

Special occasion licences (SOLs) are regulated by the Liquor Control and Licensing Branch (LCLB), but issued by the Liquor Distribution Branch (LDB) through BC liquor store managers.

The Liquor Distribution Branch issues SOLs under the authority of s. 7 of the Liquor Control and Licensing Act (the Act) and s. 15 of the Liquor Control and Licensing Regulation (the Regulation).

S. 7 of the Act states:

(1) On application in the prescribed form, a store manager or an inspector authorized by the general manager to issue a special occasion licence for selling or serving liquor at designated establishments for special occasions as provided by the regulations must, on payment of the prescribed fee by the applicant, issue a licence entitling the applicant to sell or serve liquor for the purpose named in the licence and in accordance with its terms and this Act and the regulations.

(2) A licence must not be issued for the prime purpose of making a profit, unless the general manager is satisfied that the purpose of the special occasion is to raise funds for a genuine charitable purpose.

(3) The general manager may delegate to a store manager or other employee the authority to decide, subject to the directions of the general manager, whether or not a fund raising organization and its charitable purposes are genuine.

(4) If, in the general manager's opinion or in the opinion of a peace officer, there is a breach of this Act or the regulations, or of a federal, Provincial or municipal enactment relating to the sale, purchase or consumption of liquor, the general manager or the peace officer may cancel a licence issued under this section.

(5) The store manager must send a copy of every licence issued under this section to the chief constable in the jurisdiction where the designated establishment is located.

(6) For the purposes of paragraph 114 of the Nisga'a Government Chapter of the Nisga'a Final Agreement, the general manager has the responsibility for
(a) authorizing a Nisga'a designate to issue special occasion licences under subsection (1), and
(b) delegating to a Nisga'a designate the authority to make the decision referred to in subsection (3).

(7) A Nisga'a designate has the same duty in respect of a licence issued by the Nisga'a designate under this section as the store manager has under subsection
(5) in respect of a licence issued by the store manager.

(8) In this section:

- **"Nisga'a designate"** means a person designated under paragraph 114 of the Nisga'a Government Chapter of the Nisga'a Final Agreement;
- **"Nisga'a Final Agreement"** has the same meaning as in the Nisga'a Final Agreement Act.

2.1 Why British Columbia Regulates Special Occasions at Which Liquor is Served or Sold

A special occasion licence allows an individual, organization or business to, from time to time, host a special event at which liquor is served or sold.

This province regulates these special occasions in order to control the use of liquor and prevent over consumption; to ensure the safety of the liquor supply; and to protect the public interest by ensuring that:

- licensees are aware of their duties and responsibilities
- the liquor served is from a lawful source

- enforcement authorities are aware of the event, and
- events meet all legislative requirements for serving liquor.

The SOL rules apply throughout British Columbia, including:

- Indian reserves established pursuant to the Indian Act
- the Legislative Buildings, and
- lands controlled by the Department of National Defense or the Canadian Armed Forces. [LCLB Operational Bulletin 03-01]

2.2 When a Special Occasion Licence is Required

Special occasions are events that are not frequently or regularly scheduled. For example, a weekly curling competition is not a special occasion because it is a regular event, but an annual bonspiel could be a special occasion because it occurs only once a year.

Anyone planning to:

- **sell** liquor in **any location that is not licensed** (in a private residence, for example, instead of in a licensed restaurant or bar)
- **serve or sell** liquor in a **public place** – such as a community hall – whether it is licensed or not

must apply to a government liquor store for a special occasion licence (see 3.0 and 3.2). (Please note: any location may be a public place at one time, and not a public place at another time. When an event is held in a location that would otherwise be considered a private place, but the nature of the event draws the attention of passing members of the public, the location is considered a public place.)

Special occasion licences (SOLs) are required for both:

- **private special occasions** – these include events that are social (such as a staff party, birthday or anniversary), religious (such as a wedding, christening, bar mitzvah or other religious occasion), cultural, recreational, sports- or community-oriented, and
- **public special occasions** – these include events that are community or public celebrations, such as community festivals or outdoor concerts.

They are also required for tastings held by liquor manufacturers and intended to acquaint people with the product of a winery, brewery or distillery. This is only applicable if the location is temporarily delicensed. (Tastings may be either public or private special occasions.)

Both private and public special occasions may be held in a location that is already licensed, such as a food-primary establishment (a restaurant) or a liquor-primary establishment (a bar or pub) if the location is temporarily delicensed, or in an unlicensed location, such as a private residence or community hall.

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NOTE: If you have rented a licensed establishment for your special occasion and that establishment's licence is suspended as a result of a contravention of the liquor rules, then you cannot serve or sell liquor at your special occasion with a special occasion licence within that establishment, whether you have a special occasion licence or not.

An SOL may be issued to the hosting individual or group for a special occasion held on a cruise ship or charter vessel, such as a luncheon or dinner cruise or a seasonal celebration cruise, if the vessel is not otherwise licensed. [Liquor Licensing Policy Manual, s. 7.7.3]

These rules apply whether or not the organizers of the event charge an admission fee.

2.3 When a Special Occasion Licence is Not Required

An SOL is **not** required if:

1. The special event is held in a **private place** (if there is any doubt about whether a proposed venue is a private place, the individual or organization holding the event should consult with a BC Liquor Store manager or LCLB) and liquor is **served but not sold.** A private place includes:

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   - a residence actually occupied and used by the event host, and
   - a closed office or business premise that is not a licensed establishment, provided that **all** the following conditions are met:
     - the area used for the event is not visible to the public
     - the nature and size of the event is such that it will not draw the attention of the public through excessive noise or other disturbances
     - members of the public cannot enter
     - attendance is by prior invitation only
     - the special event is attended only by the employer and employees and their guests (or board members and staff and their guests, if the office is not a business)
     - no fee is charged for entry or entertainment and no fee is charged for services related to the service of liquor (e.g., fees for mix, ice and glasses), and
     - the event occurs in the office space normally occupied by the business or agency hosting the event.

2. The event is held in a licensed establishment that is closed for regular business for the duration of a special occasion, such as a staff party, provided that the event can meet all of the conditions set out above for events in a closed office or business premise as well, as all of the conditions for the licence (see 3.0.1, 3.0.2, 3.0.3, 3.1 and 3.5).

3. The event is held in a place controlled by an embassy or consulate of a country recognized by the government of Canada.

4. The liquor used for the event was purchased by an embassy or consulate. (If the event is held in a licensed establishment the licensee does not need to apply for a temporary suspension of their liquor licence as long as the consular or diplomatic liquor is being served. The licensee may also serve its own liquor as long as it can identify which liquor has been served and keeps normal records of liquor sales of its own liquor.) [LCLB Operational Bulletin 03-06]

5. The event is held on an ocean-going ship engaged in international trade or a Canadian or foreign warship while in a harbour or in Canadian territorial waters and the liquor used comes from the ship's stores. **[Customs Act, Ships' Stores Regulations, online Canada Border Services Agency,** www.cbsa-asfc.gc.ca/E/pub/cm/d4-2-1/d4-2-1-e.html.]

2.4 Special Occasions with a Charitable Purpose

See also section 8.3.1 for liquor price rules for charitable special occasions.

2.4.1 Special Occasions in Support of Charity

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Organizations which are eligible to apply for an SOL may use the sale of liquor at a special occasion to raise funds for a charitable purpose.

The "charitable purpose" refers to the charitable purpose of the recipient of the funds; this may be either the SOL holder or another organization which is engaged in charitable purposes.

To qualify as a charitable purpose, the special occasion must be dedicated to relieving poverty, advancing education or religion, or otherwise benefiting the community – for example, by advancing recreation, sports or culture, or aiding the disabled, youth or senior citizens.

"Advancement of" means to promote the ability of one or more persons to take part in, as participant or spectator, recreational, cultural, sports or athletics activities or benefit the interests of one or more persons who may reasonably be described as disabled, youth, or senior citizen.

[Liquor Control and Licensing Act, s. 1.]

The liquor price schedule (see Appendix 4: Liquor Price Schedule) sets out the maximum prices that all licensees – except those holding an event for a charitable purpose – may charge for liquor. Those holding a charitable event may apply for an exemption to the liquor price schedule in order to make a profit (see Appendix 3: Application for Special Occasion Licence Policy Exemption). In deciding whether to grant the exemption, LCLB will look at who will receive the funds raised and the use to which they will be put, *not* the identity of the applicant.

An **applicant** for an SOL to raise funds for a charitable purpose must be a non-profit organization, such as a service club, community organization or community club, a non-commercial First Nation organization or other non-commercial organization or group. As an exception to the general rule that commercial enterprises do not qualify for an SOL, wineries may apply for an SOL to raise funds for a charitable purpose (see 2.5.3).

The **recipient** of any funds raised by the event must be a charitable, non-profit organization whose primary function is to undertake charitable purposes, and any funds given to such an organization must be used for charitable purposes. However, the recipient organization does not have to be a registered charity.

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For example:

- Money raised at a special occasion in support of charity cannot be given to a municipal government for the purposes of building a children's playground, but can be given to a local service club to build a children's playground.
- Money raised by a charitable special occasion cannot be given to a school (unless the school is registered as a charity), but equipment or supplies can be purchased by a charitable organization with the money that was raised and the equipment or supplies given to the school.
- It is a charitable purpose to raise funds for the purchase of uniforms or sports equipment or to cover the expenses of participation in sports competitions sponsored by a sports organization or league to which the player belongs if the sports organization and league are both non-profit organizations and the players are not paid. Any durable goods (equipment, uniforms, etc) purchased with the funds must remain the property of the organization.
- It is not a charitable purpose if the funds are used by individuals for their sole personal benefit, for example buying a uniform that becomes the property of the player or paying the travel expenses of an individual to attend a profit-making tournament.

Organizations that are not charitable organizations and that cannot receive funds raised by licensed special occasions for charity include:

- organizations that have as a primary purpose, or that devote a considerable percentage of their time and resources to, the promotion of political objectives or which seek to influence some public issue which is the subject of political dispute, and
- provincial, municipal or local governments and First Nation governments.

(See 8.3 and 8.3.1 for rules about liquor pricing for charitable special occasions and financial reporting requirements.)

2.4.2 Making a Profit

Only special occasions that are intended to raise money for a genuine charitable purpose are permitted to make a profit.

If the purpose of a special event is to raise funds for a charitable purpose, the organizer(s) must apply to LCLB to exceed the liquor price schedule (see Appendix 4: Liquor Price Schedule). If the event is not for a charitable purpose, the maximum price that can be charged for drinks is set by LCLB and is enough to cover only the cost of the liquor and liquor service.

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The **total profits from the entire event must be donated** to the charitable cause, not just the profits from the sale of liquor.

Licensees must provide LCLB with a financial statement (see Appendix 5: Financial Statement for Charitible SOL) within 60 days of the event, setting out all expenses for, and revenues from, the event along with tangible evidence that you have donated the profits to the charity. This evidence may be a copy of a receipt, cancelled cheque or letter of thanks from the charity or any other document indicating that the profits have been received by the charity, or a copy of any media coverage (see also 3.3).

2.4.3 Liquor Donations for Charitable Special Occasions

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A liquor manufacturer or agent may donate liquor to any organization, agency or group which is holding a charitable special occasion and is licensed by a special occasion licence.

A manufacturer or agent must not donate money or liquor if the SOL licensee is also the holder of any other type of liquor licence.

2.5 Applicant Eligibility

2.5.1 Minimum eligibility requirements

An applicant for an SOL must:

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- be 19 years of age or older and **either**:
- be a resident of BC, a Canadian citizen or lawfully admitted to Canada under the *Immigration and Refugee Protection* Act (Canada) for permanent residence, **or**
- for any other person, have approval from the general manager to apply for an SOL (see Appendix 3: Application for Special Occasion Licence Policy Exemption).

The applicant must be the person who will host the special occasion, a member of the organization hosting the special occasion, or the owner or an employee of a business or agency hosting the special occasion.

In the case of a wedding or other private special event, the applicant must be the person who will take responsibility for the liquor service (such as a member of the wedding party).

2.5.2 Persons not eligible

Those **not** eligible to apply for an SOL include:

- professional event organizers (individuals or businesses), as well as individuals, service groups, caterers, etc., who are hired to plan and manage a special occasion or to provide bar service (the event host must be the applicant, see 2.5.1) (See 3.4.1 for an exception to this rule in the case of wine, beer and spirit festivals and tastings.),
- contractors who are doing work under a contract for an organization, but are not members of that organization, and

- temporary, probationary, or honourary members of an organization (if an organization is hosting the event, the applicant must be a regular member of that organization).

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A non-profit organization which rents out its premises to others, whether those others are non-profit or for-profit entities, is not eligible for an SOL in its own name to provide liquor service to other organizations. The SOL must be obtained by the organization hosting the event and renting the premises. The non-profit organization renting out its premises may provide its bartender or other of its staff to work for the SOL holder as part of the rental agreement or under a separate arrangement.

2.5.3 Miscellaneous issues

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The federal government and provincial and local governments or First Nations and their departments, agencies or divisions are eligible to apply for a SOL. They cannot, however, be the recipient of funds raised by a charitable SOL.

Commercial enterprises and businesses normally do not qualify for an SOL but there are some exceptions to this rule which are set out in this manual.

A commercial enterprise or business which is an SOL licensee must not charge for the liquor which is served at the event. For example, the event cannot have a no-host bar and no charges can be imposed to cover the cost of the liquor. (The only exception to this rule is that wineries may charge for liquor at an SOL event to promote the winery's products to the public (see 3.5.3) or to raise money for a charitable purpose (see 3.3.)

A commercial enterprise which does not have any type of liquor licence may apply for an SOL for an event such as a grand opening, anniversary, or customer appreciation day. Attendance at the event must be by invitation only, there must be no entry fees and the liquor must be given away free of charge. A commercial enterprise or business may allow its premises to be used, either at no charge or with a rental agreement, by a non-commercial organization which is independent of, or at arms length from, the business and that other organization may host a special event which is licensed by an SOL.

A commercial enterprise may apply for an SOL to hold a staff party for the employer, employees and their guests either at the regular place of business or at another location. Attendance at the event must be by invitation only, there must be no entry fees and the liquor must be given away free of charge.

Regular licensees may be eligible for an SOL, but an event cannot be the subject of two different types of licence at the same time (see 3.4.1 for an exception for wineries). In addition, an SOL cannot be used to enhance the scope of the existing licence – for example, a licensee may not use an SOL to extend the hours of sale or the area within a licensed establishment where liquor may be served and consumed (see 3.0 and 3.4).

Employees or members of organizations who apply for and receive an SOL who leave their employment or that organization before the event takes place remain responsible under the terms of the SOL as licensee. To avoid this responsibility, the licensee must notify the BC liquor store from which the SOL was obtained (in writing) that he or she is no longer an employee or member of the organization. The liquor store will cancel the SOL and advise the employer or the organization of the need to reapply for the SOL (this includes paying the licence fee for the new SOL).

A store manager may require **proof that a hosting organization** exists before he or she issues an SOL. An organization may prove it is a *genuine* organization by providing a copy of the certificate of registration under the Society Act; a copy of the constitution of the organization; or a letter certifying the existence of the organization from a person the store manager accepts as a person independent of the organization but knowledgeable of its existence, and who confirms the organization is not a business or commercial enterprise. If the store manager is not satisfied that the organization actually exists, he or she may refer the matter to LCLB for a decision.

2.6 Frequency of Issue

Because SOLs are to be used only for special and infrequent events, any one person or organization will be granted a maximum of two SOLs per month or 24 per year.

Individuals and organizations may apply for an exemption to this policy by completing the Application for Special Occasion Licence Policy Exemption – see Appendix 3: Application for Special Occasion Licence Policy Exemption – and sending to LCLB well in advance of the event (see contact information at beginning of this manual).

LCLB encourages organizations – such as clubs, local live theatres, sports organizations – that wish to sell and serve liquor at regularly scheduled events to apply for a regular liquor licence. Information about applying for a regular liquor licence is available from LCLB.

[Liquor Control and Licensing Regulation, s. 15(1).]

2.7 Committee to Approve Public Events (CAPE)

LCLB encourages municipalities and regional districts to establish a Committee to Approve Public Events (CAPE). A CAPE monitors the number of public SOLs granted within a municipality and ensures that SOLs are not used as an alternative to obtaining a regular liquor licence. A CAPE may also be authorized to consider and give municipal authorization for SOLs where government approval is required. (See Appendix 2: Committee to Approve Public Events (CAPE).

SECTION 3: Special Occasion Types

3.0 Private Special Occasions

A private special occasion includes:

- social, cultural, recreational, religious, sporting or community events
- celebrations of family occasions, such as weddings, christenings, bar mitzvahs or other religious occasions, birthdays or wedding anniversaries, and
- tastings to acquaint people with the product of a winery, brewery or distillery.

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Attendance at a private special occasion must be limited to family, friends, an organization's members or staff, invited guests or ticket holders (**tickets must be sold or given away before the event**; if uninvited people or members of the general public are allowed to participate, **without having their tickets in advance**, the event is a public special event).

Pre-wedding parties, such as a bachelor party (stag party or stag night) or bachelorette (hen) party, cannot be licensed. This type of event must be held in a private place.

[Liquor Control and Licensing Regulation, s. 1.]

Note for BC Liquor Store Managers:

If you have concerns regarding the size or nature of a proposed private event, consult with LCLB (see contact information at beginning of this manual) or the local police authority.

If a store manager consults with the local police – or in communities where the local police must approve all SOLs – the local police will consider the location, nature and duration of the proposed special occasion and the proposed quantity of liquor in relation to the number of adults attending the event. As a result, the police may refuse permission for the event to be held or require the store manager to place restrictions, terms or conditions – such as the exclusion of minors or limited hours of liquor service – on the SOL.

3.0.1 Staff party in a liquor-primary or food-primary establishment

A licensee may hold a staff party in his or her licensed establishment during licensed hours, provided the licensee is able to comply with the conditions of the licence for the duration of the party.

Liquor licence conditions state that staff may not drink alcoholic beverages while on duty, whether during the regular operation of an establishment or in the course of a staff party, and liquor may not be served outside of the licensed hours (see 2.3 (2)).

If a licensee cannot comply with the conditions of the licence, but still wishes to hold a staff party at the licensed establishment, he or she must apply first (to a liquor inspector for food-primary licensees, and to LCLB headquarters – see contact information at beginning of this manual – for liquor-primary licensees) for a temporary suspension of the licence, and then apply to a store manager for an SOL. A temporary suspension to hold a staff party may be for a period of less than 24 hours.

If the event is to extend beyond 2:00 a.m., the licensee must apply for an exemption (see 8.0) and must obtain the approval of the local police and local government or First Nation as part of the application.

The licensee must purchase the liquor served at the special occasion separately under the SOL; it cannot be taken from the licensee's existing stock.

[Liquor Licensing Policy Manual, s. 5.2.2 and 5.2.3.]

3.0.2 Other special occasions in food-primary establishments

A food-primary licensee may apply for an SOL for a special occasion hosted by the licensee – such as a birthday party for a relative or friend – provided he or she does not use the SOL to increase the scope of the existing licence (for example, to extend existing hours or licence a location in the establishment that is not already licensed).

The two licences (the regular liquor licence and the SOL) must not be layered. For example, the licensee may not sell wine and beer under the SOL and hard liquor under the establishment's food-primary licence.

To obtain an SOL, a food-primary licensee must apply in writing to a local liquor inspector for a temporary suspension of his or her food-primary licence for the duration of the special occasion, which may be less than 24 hours. If the establishment has more than one area, the licence may be suspended for a specified area of the establishment, provided there are physical barriers to prevent patrons and liquor moving between the two areas.

There must be at least one hour between the SOL event and the regular operation of the permanent licence during which no-one is permitted within the suspended area of the establishment.

The licensee must secure the establishment's liquor and make sure it is not accessible to any patrons of the special occasion. As with all SOLs, the licensee must purchase the liquor served at the special occasion under the SOL; it must not be taken from the licensee's existing stock.

[Liquor Licensing Policy Manual, s. 5.2.4.]

3.0.3 Other special occasions in liquor-primary establishments

A liquor-primary licensee may apply for an SOL for a special occasion hosted by the licensee – such as a birthday party for a relative or friend – provided he or she does not use the SOL to increase the scope of the existing licence (for example, to extend existing hours or licence a location in the establishment that is not already licensed).

The two licences (the regular liquor licence and the SOL) must not be layered. For example, the licensee may not sell wine and beer under the SOL and hard liquor under the establishment's liquor-primary licence.

To obtain an SOL, a liquor-primary licensee must apply in writing to LCLB headquarters (see contact information at beginning of this manual) for a temporary suspension of his or her liquor-primary licence for the duration of the special occasion. The temporary suspension must be for a minimum of 24 hours (one or more full days).

If the establishment has more than one area, the licence may be suspended for a specified area of the establishment, provided there are physical barriers to prevent patrons and liquor moving between the two areas.

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The licensee of the permanently licensed establishment must lock up the establishment's liquor and make sure it is not accessible to any patrons of the special occasion. As with all SOLs, the licensee must purchase the liquor served at the special occasion under the SOL; it must not be taken from the licensee's existing stock.

[Liquor Licensing Policy Manual, s. 5.2.4.]

3.1 Special Occasion in a Licensed Establishment where the Licensee is Not the Host

3.1.1 Food-primary establishments

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Food-primary licensees may permit an individual or group to use their licensed establishment for a private special occasion **only if** the regular licence is temporarily de-licensed (use the form "Temporary Suspension Request – Food Primary Only [LCLB022]") for the duration of the special occasion.

The food-primary licensee must apply in writing to a local liquor inspector for a temporary suspension, which may be for 24 hours or less. If the establishment has more than one area, the licence may be suspended for a specified area of the establishment, provided there are physical barriers to prevent patrons and liquor moving between the two areas.

The host of the event using the licensed premises must apply for the SOL. The special occasion licensee is responsible for ensuring the conditions of the SOL are met.

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The two licences (the regular liquor licence and the SOL) must not be **in effect at the same time**. For example, the SOL licensee may not sell wine and beer under the SOL and hard liquor under the establishment's food-primary licence. The regular licensee may provide food services for the special occasion; however, the holder of the SOL must purchase all liquor for the event

The regular licensee may serve the SOL holder's liquor – that is, the regular licensee may "cater" both food and beverage service on behalf of the SOL holder, but may not use liquor taken from the regular licensee's existing stock.

There must be at least one hour between the SOL event and the regular operation of the permanent licence during which no-one is permitted within the suspended area of the establishment.

The food-primary licensee must make sure all liquor is secured and not accessible to any patrons of the special occasion. The SOL licensee must purchase the liquor served at the special occasion; it must not be taken from the regular licensee's existing stock.

[Liquor Licensing Policy Manual, s. 5.2.4.]

3.1.2 Liquor-primary establishments

Liquor-primary licensees may permit an individual or group to use the licensed establishment for a private special occasion **only if** the regular licence is temporarily suspended.

The liquor-primary licensee must apply in writing to LCLB headquarters (see contact information at beginning of this manual) for a temporary suspension. The temporary suspension must be for a minimum of 24 hours (one or more full days). If the establishment has more than one area, the licence may be suspended for a specified area of the establishment, provided there are physical barriers to prevent patrons and liquor moving between the two areas.

The host of the event using the licensed premises must apply for the SOL. The special occasion licensee is responsible for ensuring the conditions of the SOL are met.

The two licences (the regular liquor licence and the SOL) must not be layered. For example, the SOL licensee may not sell wine and beer under the SOL and hard liquor under the establishment's liquor - primary licence.

The regular licensee may provide food services for the special occasion; however, the holder of the SOL must purchase all liquor for the event.

The regular licensee may serve the SOL holder's liquor – that is, the regular licensee may "cater" both food and beverage service on behalf of the SOL holder, but may not use liquor taken from the regular licensee's existing stock.

The liquor-primary licensee must make sure all liquor is secured and not accessible to any patrons of the special occasion. The SOL licensee must purchase the liquor served at the special occasion; it must not be taken from the regular licensee's existing stock.

[Liquor Licensing Policy Manual, s. 5.2.4.]

3.2 Public Special Occasion

A public special occasion is:

- a community or public celebration, or
- a tasting, open to the public, intended to acquaint the public with the products of a licensed liquor manufacturer.

[Liquor Control and Licensing Regulation, s. 1.]

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Anyone may attend a public special occasion – entry is open to anyone who wishes to participate or buy a ticket (either at the door or in advance of the event). (Just because tickets are sold for the event does not make it a public event. The key is that the tickets must be available to the public at the door. See 3.0 and 8.8.1) The phrase "community or public celebration" is interpreted very widely and includes a broad range of events which contribute to the cultural/social life of the community.

- Public special occasions must have the support of the local government or First Nation *and* local police authority. Specifically:
- if the event is held on a reserve as defined in the Indian Act, the applicant must obtain support for the event from the band council for the reserve **and** the police authority having jurisdiction on the reserve
- if the event is held in an area under the jurisdiction of an aboriginal governing body other than a band council, the applicant must obtain support for the event from the aboriginal governing body **and** the police authority having jurisdiction in that area
- if the event is held in any other part of the province, the applicant must obtain support for the event from the applicable local government **and** the police authority having jurisdiction in the area (see 4.0).

[Liquor Control and Licensing Regulation, s. 1.]

In some cases the local government or First Nation has delegated this function to the local police.

The local police will take into consideration the location, nature and duration of the proposed special occasion, and the proposed quantity of liquor in relation to the number of adults attending the event, and may:

- support the event
- refuse permission for an event to be held, or
- require restrictions, or terms or conditions, such as the exclusion of minors or limited hours of liquor service, be placed on the SOL.

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3.3 Special Occasions in Support of Charity

Deleted – see 2.4.1

3.4 Promotions by Licensed Manufacturers, Their Agents and Sales Representatives

3.4.1 Beer, wine and spirits festivals, tastings and exhibitions

S. 53(2) of the Liquor Control and Licensing Act permits a licensed manufacturer – a brewery, winery or distillery – or a licensed agent to conduct tasting events to acquaint the public with its products.

If the event has only one manufacturer conducting the tasting and it takes place at a location that is not otherwise licensed, the licensed manufacturer (or a non-commercial organization which wants to host the event) must apply for an SOL. (An SOL is not required for a manufacturer's tasting event which is held in a private place, provided the liquor is not sold.)

UBrews and UVins are not licensed manufacturers and are not eligible for SOLs to conduct tastings of their products.

If more than one licensed manufacturer or agent participates in a common event, the SOL will be issued to whomever is hosting the event whether commercial or non-commercial. This is an exception to the general rule that a commercial enterprise (including an event organizer) cannot be issued an SOL.

Tastings held at trade shows or exhibitions related to the hospitality (food and beverage) industry are eligible for an SOL. However, LDB will generally not issue an SOL for such tastings *unless* an identifiable section of the trade show or exhibition is focused on the hospitality industry. In that case, a BC liquor store manager may issue an SOL for tastings in that section of the event.

Minors are generally not permitted access to the licensed tasting area because the primary purpose of a public tasting is liquor consumption.

Serving sizes at tastings licensed by an SOL must not exceed 4 oz. (114 ml) for beer, cider and coolers, 2 oz. (60 ml) for wine, and ½ oz. (15 ml) for spirits. (Please note: the allowable serving sizes for tastings conducted at restaurants or other licensed establishments are different than those for events licensed by an SOL. See the applicable LCLB Guide for more information.)

If the SOL licensee sells samples individually, the maximum price they may be sold at is the price set out in the liquor price schedule (see Appendix 4: Liquor Price Schedule) adjusted to the size of serving provided, except where the event is for a charitable purpose (see 8.3.1). For example, the price for a 4 oz. serving of beer must not exceed $1.42, which is one third of the maximum price plus GST allowed for a 12 oz. serving.

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3.4.2 Liquor donations for charitable special occasions

Deleted – see 2.4.3

3.4.3 Market research tastings

Licensed manufacturers and their agents, or research companies hired by them, may apply for an SOL for a public special occasion to conduct market research in the form of tastings. (Market research tastings held in a private place are covered by the manufacturer's licence.) Such market research may include research into new products that are being developed. (This is different from 3.4.1 in that market research tastings involve providing liquor at no cost to the customer, and the person who tastes the product is asked to respond to a variety of survey instruments after the tasting.)

The location for the market research must be secure so that minors are not able to participate in the tasting.

The licensee must ensure that all of the regulations related to the consumption and responsible use of liquor are followed (see section 5).

Serving sizes at market research tastings licensed by an SOL must not exceed 4 oz. (114 ml) for beer, cider and coolers, 2 oz. (60 ml) for wine, and ½ oz. (15 ml) for spirits. (Please note: the allowable serving sizes for tastings conducted at restaurants or other licensed establishments are different than those for events licensed by an SOL. See the applicable LCLB Guide for more information.)

3.4.4 Sponsorships

A licensed manufacturer or a licensed agent may sponsor a sporting, cultural or recreational event that is held under an SOL. However, the manufacturer or agent may not apply for the SOL or host the event. The event must be hosted by a separate organization, and that host organization must apply for the special occasion licence.

The host organization, manufacturer or agent may advertise the event by using the manufacturer or agent's corporate or brand name and state that the manufacturer or agent is sponsoring the event, but must not state that liquor will be available at the event.

A licensed manufacturer or agent may not sponsor an event, activity or organization where the participants or audience are primarily minors.

A liquor manufacturer or agent must notify the general manager before the event occurs if the sponsorship has a value greater than $1,500 or the event involves a licensed establishment.

[Liquor Control and Licensing Act s. 54 and Liquor Control and Licensing Regulation, s. 60. See also 8.8.3]

3.5 Special Occasions Held in a Manufacturing Establishment

3.5.1 Promotional events at a winery if no endorsement

A winery licensee who does not hold a winery lounge, special event area, picnic area or tour area endorsement may apply for an SOL for an event whose primary purpose is to acquaint the public with wine products. (A winery may need to apply for an SOL if it holds a tasting event outside the normal hours of its sampling room, features products from other wineries for comparison or if the event is to be held in an unlicensed part of the winery's property.)

To decide if the SOL is for a wine tasting, the store manager will consider such factors as whether the event will:

- be open to the general public, usually through advance ticket sales
- be held in conjunction with a wine festival and advertised through the wine festival's calendar or events listing
- be billed as an introduction to the winery's product in advance promotional material
- have a variety of wines available for tasting, and
- have the winemaker or winery owner present to talk about the products.

Serving sizes at tasting events licensed by an SOL must not exceed 2 oz. (60 ml). (Please note: the allowable serving sizes for tastings conducted at restaurants or other licensed premises are different than those for events licensed by an SOL. See the LCLB *Winery Licence Guide*.)

A winery licensee who is issued an SOL under this section may sell its wine at a price up to 100 per cent over the wine's purchase price. Licensees may also serve wines from other wineries, provided those wines are purchased from the Liquor Distribution Branch or other authorized vendor.

If the proposed special promotional occasion is to be held in a part of the winery subject to another licence or an endorsement, the winery must first apply to LCLB headquarters (see contact information at beginning of this manual) for a temporary suspension of that other licence or endorsement. However, if the event is to take place in a location subject to the winery (manufacturing) licence itself there is no need to temporarily suspend the winery licence. (This is an exception to the general rule that licences must not be layered.)

The usual rules for special occasion licences apply respecting responsibilities of licensees, liquor purchase, and licensing conditions (see sections 5, 7 & 8).

3.5.2 Licensee hosted and third-party events held at a winery

A winery licensee may apply for an SOL for a special occasion hosted by the licensee – such as a birthday party for a relative or friend – provided he or she does not use the SOL to increase the scope of the existing licence (for example, to extend existing hours or licence a location in the establishment that is not already licensed). In addition, a winery may permit third parties to use its facilities to host special occasions at which spirits and beer, in addition to BC wines, are sold or served.

If the area where the event is to be held is licensed by a food primary or liquor primary licence or subject to a winery licence endorsement (such as a lounge, special event area or picnic area endorsement), the winery must apply to LCLB headquarters (see contact information at beginning of this manual) to temporarily suspend the licence or endorsement. The licensee or third party must then apply for an SOL. However, if the event is to take place in a location subject to the winery (manufacturing) licence itself there is no need to temporarily suspend the winery licence. (This is an exception to the general rule that licences must not be layered.)

The usual rules for special occasion licences apply respecting responsibilities of licensees, liquor purchase, and licensing conditions (see sections 5, 7 & 8).

3.5.3 Licensee hosted and third-party events held at a brewery or distillery

A brewery or distillery licensee may apply for an SOL for a special occasion hosted by the licensee – such as a birthday party for a relative or friend – provided he or she does not use the SOL to increase the scope of the existing licence (for example, to extend existing hours or licence a location in the establishment that is not already licensed). In addition, a brewery or distillery may permit third parties to use its facilities to host special occasions at which spirits, beer and wine are sold or served.

If the area where the event is to be held is licensed by a food primary or liquor primary licence, the brewery or distillery must apply to LCLB headquarters (see contact information at beginning of this manual) to temporarily suspend that other licence. The licensee or third party must then apply for an SOL. However, if the event is to take place in a location subject to the manufacturing licence itself there is no need to temporarily suspend the manufacturer's licence. (This is an exception to the general rule that licences must not be layered.)

The usual rules for special occasion licences apply respecting responsibilities of licensees, liquor purchase, and licensing conditions (see sections 5, 7 & 8).

SECTION 4: License Application Process

4.0 General

Any eligible applicant may apply for an SOL (see 2.5) at any government liquor store or LDB approved rural agency store (see Appendix 8: Rural Agency Stores Authorized to Issue SOL Licences).

An application should be made well in advance of the event, especially if other agencies will need to give their approval (see below). The liquor store manager will provide the applicant with an application form, information about SOLs, and the Serving It Right: The Responsible Beverage Service Program course material, if required. This course material is also available on the internet at www.servingitright.com (see also 5.0).

A person or organization applying for an SOL for a **private special occasion** may apply at a BC liquor store that is not in the same community as the special occasion. The store manager should contact the store manager in the place where the special occasion is to take place to confirm local approval processes. If the police or local government in the place where the special occasion is to be held require applicants to obtain their approval before an SOL is issued then, in practice, the licence can only be issued by a liquor store close to where the event is to take place.

The store manager who issues the licence must advise the local police in the area where the special occasion will take place – either by faxing a copy of the SOL or sending an email providing the details of the SOL – that he or she has issued the SOL. [Liquor Control and Licensing Act, s. 7(5)]

A person or organization applying for an SOL for a **public special occasion** must obtain an expression of support from the appropriate local government or First Nation. This may take the form of a copy of a council resolution or a letter from the municipality (see 3.2). He or she must take this document and a completed SOL application to the local police for their approval (there is a space on the form for the police to write in their comments), then submit both documents to a BC liquor store. [Liquor Control and Licensing Regulation, s. 1.]

A person or organization applying for an SOL for an event to be held on lands or premises owned or operated by a local or other level of government or a First Nation must obtain written permission from the relevant government. [Liquor Control and Licensing Regulation, s. 15(9).]

4.1 Private Special Occasions: Procedures for Store Managers

On receiving a completed SOL application form for a private special occasion, the store manager will:

- confirm that the applicant is eligible for an SOL (see 2.5)
- if the special occasion is to be hosted by an organization, confirm that the organization is eligible to host the special occasion
- confirm that the special occasion is not a commercial, business or profit-making venture
- if liquor is to be sold, confirm that the proposed selling prices are within guidelines (see Appendix 4: Liquor Price Schedule) **or**
- if the proposed special event is intended to raise money for charity, determine if the cause is charitable (see 3.3) and confirm that the Application for Special Occasion Licence Policy Exemption (to allow selling the liquor for more than the prices set out in the policy) has been approved by LCLB (see Appendix 3: Application for Special Occasion Licence Policy Exemption)
- if the applicant must complete the Serving It Right program, confirm the SIR certificate number is correctly noted and advise the applicant about who else must complete the Serving It Right program before the event takes place (see 5.0)

- if approval for the licence from the local police is required, confirm that the police have given their approval
- determine whether to require approval from the appropriate police agency for a private special occasion if circumstances, such as the expected number of attendees, proposed entertainment or other particulars of the proposed special occasion, warrant
- include any conditions on the licence required by the local police (see 3.0)
- determine whether the SOL application should be approved, based on the information and documents available
- notify local police that the licence has been issued.

4.2 Public Special Occasions: Procedures for Store Managers

Upon receiving a completed SOL application form for a public special occasion, the store manager will:

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- confirm that the applicant is eligible to be an SOL licensee (see 2.5)
- confirm local police have given their approval; include any conditions on the licence required by the local police (see 3.0)
- if the special occasion is to be hosted by an organization, confirm that the organization is eligible to host the special occasion
- confirm that the special occasion is not a commercial, business or profit-making venture
- if liquor is to be sold, confirm that the proposed selling prices are within guidelines (see Appendix 4: Liquor Price Schedule) **or**
- if the proposed special event is intended to raise money for charity, determine if the cause is charitable (see 3.3) and confirm that the Application for Special Occasion Licence Policy Exemption (to allow selling the liquor for more than the prices set out in the policy) has been approved by LCLB (see Appendix 3: Application for Special Occasion Licence Policy Exemption)
- if the applicant must complete the Serving It Right program, confirm the SIR certificate number is correctly noted and advise the applicant about who else must complete the Serving It Right program before the event takes place (see 5.0)
- where an **expression of support** from the appropriate local government or First Nation is required (see 4.0), confirm that an authorized representative of the local government, First Nation or CAPE (see 2.7) has signed the expression of support [Liquor Control and Licensing Regulation, s. 1]
- where **written permission** must be given by a local government or First Nation to hold a special occasion (see 4.0), confirm that an authorized representative of the local government, First Nation or CAPE (see 2.7) has provided that permission [Liquor Control and Licensing Regulation, s. 15(9)]

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- determine whether the SOL application should be approved, based on the information and documents available
- notify local police that the licence has been issued.

SECTION 5: Licensee Responsibilities

5.0 Serving It Right: The Responsible Beverage Training Program

The Serving It Right (SIR) training program is a correspondence course that instructs licensees, managers and servers on responsible liquor service. If the host of the special occasion is required to complete the SIR course only that person can apply for the SOL.

The SIR course materials and examination are available at www.servingitright.com.

[Liquor Control and Licensing Act, s. 13; Liquor Control and Licensing Regulation, s. 43(1), (2) & (7).]

5.0.1 Private events

Before applying for an SOL for a private event, the applicant will usually be required to complete the SIR course.

However, an applicant who is acting in an individual capacity and who will be hosting the event does not require an SIR certificate. For this exception to apply, the key point is that the applicant will be the host of the event and is applying in an individual capacity and not as a person acting for some type of organization or organized group. For example:

- if the applicant is the host for a family wedding or a birthday or anniversary party, then the applicant does not need to complete the SIR course;

but,

- if the applicant is a member of an organization, such as a rugby club, who is applying for an SOL then the applicant must complete the SIR because the applicant is acting for the club, not in an individual capacity.

The licensee is responsible for ensuring that any paid or unpaid managers and paid servers have an SIR certificate when the event is held. Unpaid servers at a private special occasion do not need to have a SIR certificate.

[Liquor Control and Licensing Regulation, s. 43(2) & (7).]

5.0.2 Public events

An applicant for an SOL for a public special occasion must complete the SIR course **before applying** for the SOL.

Any paid or unpaid managers and paid servers must complete the SIR course before the event is held.

Unpaid servers at a public special occasion do not need to have an SIR certificate.

[Liquor Control and Licensing Regulation, s. 43(2), (7) & (8).]

5.1 Requirement to be On-Site

If the SOL licensee is a person who must have a SIR certificate, that licensee must be in attendance at all times during the event. The licensee may delegate this responsibility to a manager or an official member of the organization hosting the event, provided that person also holds a SIR certificate.

5.2 Entry of Minors and Acceptable Identification

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With the exception of beer gardens, minors are permitted to be present at a special occasion as non-drinking patrons or entertainers, unless prohibited or restricted by the store manger, LCLB or the police.

Minors are prohibited from consuming, serving or handling liquor – including selling drink tickets.

Anyone serving liquor (including paid and unpaid servers) must assure themselves that a patron is not a minor. Where identification is required to confirm that a patron is 19 years old or older, **two** pieces of identification are required:

- One piece of identification must be government issued and have the person's name, date of birth and photograph, such as a BC Identification card, driver's licence with picture, or a passport.
- The other piece must have the person's name and at least one of the person's signature or photograph, such as a Care Card, credit card or social insurance card.

[Liquor Control and Licensing Regulation, s. 15(3) & 45.]

5.3 Intoxicated Patrons

Licensees may not sell or serve liquor to an intoxicated person. An intoxicated person must not remain in a licensed area or at the special occasion. Licensees may forbid a person to attend, or require a person to leave, the special occasion if the person is intoxicated or if the licensee deems the person's presence undesirable for some other legitimate reason.

If a person becomes intoxicated at a special occasion, the licensee or a person delegated by the licensee must take reasonable steps to ensure that the person does not harm himself/herself or others while on the premises or after leaving the event.

[Liquor Control and Licensing Act, s. 46.]

5.4 Duty of Care

Licensees, whether an individual or an organization, may be legally responsible for the behaviour both **at and after** the event of a person who becomes impaired due to alcohol served at the special occasion.

According to the Occupier's Liability Act, the "occupier" (or person in possession of or responsible for the premises) has a duty of care. Licensees should acquaint themselves with their legal responsibilities to take reasonable care to avoid acts or omissions that might have been reasonably foreseen to injure their neighbors or guests.

When alcohol is sold or given to a person, the licensee must protect patrons and others from harm that may be associated with the activity of drinking. This includes both harm associated with the physical safety of individuals on the premises, as well as harm that may occur after the person has left the premises.

Licensees should keep in mind that if intoxicated persons are on the premises, regardless of whether they were served on the premises, the licensee is in violation of the law and could be held liable for injuries to that person or to others caused by that person. **This responsibility lasts as long as the person remains intoxicated, even if they leave the premises.**

This issue most often arises when an intoxicated person causes a motor vehicle accident. The licensee must either provide the intoxicated person with a place to sleep it off or put the person under the supervision of someone who will ensure the person gets home safely – this includes providing a taxi for the person. If the licensee does not do this, a court may find the licensee responsible or partly responsible for the person's subsequent behaviour.

SECTION 6: Licence Fees

6.0 Private Special Occasions

Licence fee is $25.00 per day.

6.1 Public Special Occasions

Licence fee is $100.00 per day.

6.2 Promotions by Licensed Manufacturers

The store manager will determine whether the promotional event is private or public (see 3.0 and 3.2).

6.3 Fee for Events Occurring on More Than One Site

A separate licence and licence fee is required for each site if the event takes place in more than one location – for example, a music festival in four separate halls requires a separate licence (and payment of the separate fees) for each location.

6.4 Fee for Events Lasting More Than One Day

If an event lasts more than one day, the applicant must apply for a licence for each day, with the fee being a multiple of the daily fee times the number of days of the event. Each day of the event will be listed on the SOL.

A weekly licence may be issued for events which last for more than a day but which only provide liquor service for a very short time each day. For example, a theatre production that runs for a number of days up to a week, but only has bar service available one half-hour before and a maximum of one hour after the production, plus 15 minutes during intermission, may qualify for a weekly licence. In this case, the production would be counted as one event and the applicant would pay one daily fee for each week or part week of that theatre production. To apply for a weekly licence, the applicant must first apply for a policy exemption (see Appendix 3: Application for Special Occasion Licence Policy Exemption).

6.5 Replacement Applicant

If a licensee notifies the liquor store from which he or she obtained an SOL that the licensee does not want to continue being a licensee, the store manager will cancel that SOL (see 2.5.3). If another applicant applies for an SOL to replace the cancelled SOL, the applicant must pay the required fee(s) again.

6.6 No Refunds

SOL licence fees are NOT refundable.

[Liquor Control and Licensing Regulations, Schedule 1, s. 1.]

SECTION 7: Liquor Purchases, Taxation and Product Returns

7.0 Liquor Purchase

Unless specifically exempted by the LDB, all liquor to be sold or served at an SOL event must be purchased from:

- government liquor stores
- on-site winery stores
- on-site brewery stores
- on-site distillery stores
- some off-site winery stores
- rural agency stores (RAS) that have been authorized by the LDB to sell to holders of SOLs, or
- for private special occasions only, and only if the liquor will not be resold, an Independent Wine Store (see also 8.4).

Liquor sold or served at a special occasion may **not** be purchased from:

- Vintners Quality Alliance (VQA) outlets
- licensee retail stores (cold beer and wine stores)
- most off-site winery stores
- establishments with off-premise sales, or
- UBrew and/or UVin stores.

UBrew and UVin products and home-made beer or wine products **may not** be sold or served at any special occasion.

Licensees must not permit guests to bring their own liquor to the special occasion. Bring your own liquor ("BYOB") events cannot be held.

SOL applicants are encouraged to work with liquor store managers to determine appropriate quantities of liquor for their event. This will also help applicants calculate the correct amount of provincial sales tax on projected revenues they will need to pay (see 7.1). The LDB publication "Wedding Planning Guide" – provides a useful guide for calculating liquor quantities.

The amount of liquor that may be purchased under the SOL is listed on the face of the licence. The store manager or the local police may restrict the quantity of liquor allowed for any particular special occasion.

7.1 Provincial Sales Tax

The provincial sales tax on liquor products is 10% of the purchase price. If the liquor is to be **sold** at the special occasion, the liquor store will calculate the estimated revenue based on the:

- amount of liquor purchased
- allowable serving size, *and*
- sale price set out in the liquor price schedule (see Appendix 4: Liquor Price Schedule), *or* the
- price allowed if the event is for charity.

The licensee must pay the sales tax payable on this amount, minus the sales tax paid on the purchased liquor, when he or she purchases the liquor (see 8.2). This tax is in addition to the prescribed licence fee.

If a licensee charges an "all-inclusive" entry fee , the liquor store will calculate provincial sales tax on projected revenue using the drink prices and serving sizes set out in Appendix 4: Liquor Price Schedule (see 8.3.3).

In the event of a tax overpayment, or if the licensed event does not occur, the licensee may claim a refund on the tax paid on estimated revenue from:

The Ministry of Small Business and Revenue

PO Box 9442 STN PROV GOVT
Victoria, BC
V8W 9V4

Online at: www.sbr.gov.bc.ca/ctb/
Telephone: 604-660-4524
Toll free at: **1 877 388-4440**

If the special occasion is cancelled, the licensee may obtain a sales tax refund from the liquor store where he or she purchased the liquor, provided the licensee claims the refund before the date of the proposed special occasion.

[Social Services Tax Act, RSBC 1996, c. 431, s. 6(2) & 7 and
www.rev.gov.bc.ca/ctb/publications/bulletins/sst_097.pdf.]

7.2 Goods and Services Tax (GST)

Revenue Canada requires that charities and other public service bodies generating gross revenues from sales or services in excess of $50,000.00 annually, and other businesses generating gross revenues from sales or services in excess of $30,000.00 annually, register with Revenue Canada and collect and remit the 7 per cent federal GST on all sales. Enterprises with revenues less than these amounts neither collect nor remit GST.

SOL licensees who have a Revenue Canada confirmation letter with a nine-digit registration number may apply the GST to the approved price indicated on the licence. The liquor store manager will note the GST registration number on the face of the SOL; this authorizes the licence holder to apply the additional charge. The maximum liquor prices, including GST, are set out in Appendix 4: Liquor Price Schedule.

[See also Revenue Canada at
www.cra-rc.gc.ca/tax/business/topics/gst/charities/registering/mandatory_ch-e.html.]

7.3 Excess Liquor

The licensee is responsible for ensuring that all unopened liquor left over after the special occasion ends is returned to the liquor store from which it was purchased.

Excess liquor, whether in opened or unopened containers, cannot be stored for the next event nor claimed for personal use.

During the event, liquor must be opened only as required

7.4 Product Returns to Liquor Distribution Branch

Proof of purchase is required to obtain a refund.

Returned products must be fit for resale – that is, packages are sealed, labels are intact, cases of beer or cider are unopened and there is no evidence of mishandling. The liquor store manager has the authority to decide whether a returned product is fit for resale.

SECTION 8: Licensing Conditions and Enforcement

8.0 Hours of Sale or Service

Hours of sale or service are limited to the hours between 9:00 a.m. and 2:00 a.m. of the following day, if the special occasion is held indoors, and 9:00 a.m. to 10:00 p.m. if held outdoors. (Hours are subject to further limitation by police or a local government or First Nation.)

If an applicant wants to operate a special event between 2:00 a.m. and 4:00 a.m, he or she must apply for an exemption to extend the hours (see Appendix 3: Application for Special Occasion Licence Policy Exemption). The applicant must obtain the approval of the local police and local government or First Nation as part of the application.

The hours of sale or service on election days are the same as any other day.

The hours of sale on statutory holidays, except for New Year's, are the same as the hours of sale of the day of the week on which the statutory holiday falls.

An SOL for a special occasion on New Year's Day extending after 2:00 a.m. but ending before 4:00 a.m. may be issued **if** the applicant obtains the consent of the local government or First Nation **and** the local police authority, without the applicant requesting an SOL policy exemption.

Sale and service of liquor must end at the time specified on the SOL. Liquor must not be consumed after ½ hour beyond the end time of the special occasion as specified on the SOL.

8.1 Consumption Limited to Event Locale

Individual sized bottles of spirits and wine may be sold or served under an SOL, but the cork or cap must be removed and discarded (not available to the participants) to ensure the liquor is consumed at the event and not removed from the premises.

[Liquor Control and Licensing Regulation, s. 15(6).]

Whole bottles of wine can be sold or served. Participants may take away unfinished bottles of wine; however, a new cork or other type of new stopper must be put in the bottle and the bottle must be placed in a bag. Licensees also must tell the person taking the bottle that, if it is to be put in a motor vehicle, it must be stowed behind the rear seat, in the trunk, or in an exterior compartment or other place out of reach of the people in the vehicle.

[Liquor Control and Licensing Regulation, s. 42(4)(a).]

8.2 Types of Liquor Permitted

All types of liquor may be sold or served at **private** special occasions.

For **public** special occasions, licensees may sell beer, wine, cider and coolers but must apply to LCLB to sell or serve any distilled spirits (hard liquor), other than spirit-based coolers (see Appendix 3: Application for Special Occasion Licence Policy Exemption).

Kegs of beer and cider and larger containers of coolers are permitted at public special occasions, but the individual serving size is limited to 12 oz (355 ml) (see Appendix 3: Application for Special Occasion Licence Policy Exemption).

8.2.1 Maximum Serving Sizes

You must encourage moderate consumption at all times and follow strict limits on the maximum size of servings.

Revised January 2009

Maximum amount per person per serving:

Distilled liquor (spirits) . . . 3 ounces (85 ml)

Draught beer . . . 18 ounces (0.5 litre)

Bottled beer . . . 2 standard-size bottles or 1 large-size (0.5 litre or more) bottle

Wine . . . . . 9 ounces (0.25 litre) (or more with a meal)

8.3 Liquor Pricing

The liquor price schedule (see Appendix 4: Liquor Price Schedule) sets out the maximum prices that licensees may charge for liquor (see 8.3.1) for exceptions in the case of charitable fund raising). The price charged for liquor at a special occasion is intended to cover the "operating costs" of serving or selling liquor. Operating costs include the liquor, mix, glasses, ice and taxes but do not include costs such as hall rental, entertainment or security.

Drink prices must remain the same for the duration of the event. Licensees are not permitted to offer "Happy Hour" specials or to sell stock at a reduced price towards the end of the event.

8.3.1 Liquor pricing and financial reporting for charitable SOLs

If the prime purpose of an event is to raise funds for charity, the licensee may apply to exceed the liquor price schedule in Appendix 4: Liquor Price Schedule (see Appendix 3: Application for Special Occasion Licence Policy Exemption).

If LCLB approves the application to exceed the liquor price schedule, any funds raised by any element of the event must then be put towards the charitable purpose. The host organization may not use the funds raised for general operations

The **total profits** from the special occasion must be donated, not just the profits from the bar. Licensees must submit proof of the donation to LCLB within 60 days of the event. This proof must include a financial statement listing revenues and expenses associated with the event and must be supported by tangible evidence, such as a receipt, cancelled cheque, letter of thanks or any other document indicating that the profits have been received by the charity, or a copy of any media coverage. (See Appendix 5: Financial Statement for Charitable SOL) for a financial reporting format host organizations may use; (see also 3.3)

8.3.2 Liquor auctions

Revised October 2008

Liquor, including donated liquor, may be auctioned at a licensed special occasion to raise funds for charity. The liquor must not be consumed at the event. As with all licensed charitable special occasions, all proceeds from the entire event must be donated to charity. (See 2.4 and 3.4.2)

8.3.3 All inclusive entry fees

LCLB discourages the practice of recovering the costs associated with the service of liquor at a special occasion by charging an "all inclusive" entry fee and providing liquor free of charge, because it may lead to over-service, intoxicated patrons and difficulty refusing service.

8.4 Sources of Liquor

Licensees must purchase all liquor sold or served at a special occasion from a government liquor store or an authorized vendor, specifically for the special occasion. (See 7.1.)

Licensees may not sell or serve liquor from any other source, including:

- a regular licensee's own stock
- home-made beer or wine products, or
- products from UBrew and UVin stores (UBrew and UVin stores are licensed under s. 12.1 of the Liquor Control and Licensing Act to provide facilities for the production of beer and wine for consumption by the customer and the customer's family and friends in a place where a licence is not required and without any cost to the person consuming the product).

Licensees must not permit guests to bring their own liquor to the special occasion. Bring your own liquor ("BYOB") events cannot be licensed.

The Liquor Control and Licensing Act regulates liquor supply in order to ensure product quality, control and regulate consumption, supervise the conduct and operation of licensed functions, and to protect the integrity of the liquor taxation system.

By requiring all liquor to be purchased through authorized vendors, LCLB can monitor the source and quality of the liquor to protect public safety and to ensure that the appropriate taxes have been paid. Allowing other sources of liquor would compromise the liquor control and distribution system.

8.5 Gambling / Gaming

Gambling (or gaming) is defined as playing or gaming – for money or other stakes – on an uncertain event or outcome. It involves chance and the hope of gaining something more than the amount paid to participate.

Gambling is not permitted in the area where liquor is being sold, served or consumed. Should the special event be a function commonly referred to as a "Casino Night" or "Las Vegas Night," gambling is permitted only in a distinctly separate, unlicensed area.

[See the BC Gaming Policy and Enforcement Branch at:
www.pssg.gov.bc.ca/gaming/legislation_policy_standards/index.htm.]

8.6 Posting of Licence

The licensee must post the SOL, approved policy exemption application form (if any) and any letters granting exceptions or placing additional conditions on the licence in a visible location in the bar or serving area during the hours the licence is in effect.

8.7 Security, Door Control and Enclosed Licensed Area

At all events, and especially those held outdoors, the area in which liquor is to be served must be surrounded by a barrier sufficient to confine the sale, service and consumption of liquor to a specified area. The local police may specify the type of perimeter fencing or barrier required. Access must be permitted only through limited and controllable points supervised by responsible adults. In addition to other reasonable security features, the area should be well lit. (See Appendix 7: Security Plan Guideline). A security plan is required only for large events involving over 500 people; this guideline may, however, also be useful as a model for licensees planning smaller events.)

8.8 Other Licensing Condition

8.8.1 Pre-sale of entry tickets for private events

For private events, licensees must sell or reserve entry tickets or invitations to the special occasion prior to the beginning of the event. For example, if the event is to start at 8:00 p.m., all tickets must be sold prior to 8:00 p.m. in order to qualify as a private special occasion, although attendees may pick up tickets at the door even after the event has begun.

8.8.2 Provision of food

As part of responsible beverage service, we strongly recommend that SOL licensees for both private and public special occasions ensure there is an adequate variety and supply of food and non-alcoholic beverages available, such as hot-dogs, hamburgers, sandwiches, chips, juice, coffee, and soft drinks (see section 5).

8.8.3 Advertising

No advertising for a private or public special occasion is allowed that indicates that liquor will be sold or served at the special occasion. Text or graphics that either depict or imply the availability of liquor are also not permitted. For example, advertisements may not show wine glasses or beer steins or mention that there will be a wine tent or beer garden as part of the special event.

The licensee may promote the special occasion by advertising the name of the event, its location, a description of any entertainment provided, and the hours in which food or refreshments will be available.

The only exception to the prohibition on advertising the availability of liquor is in the case of a public special occasion for wine, beer or other liquor festivals where **more than one manufacturer is** conducting a tasting at one location. In that situation, the host organization may advertise the name of the event – "The B.C. Wine Festival," for example – followed by the names of the participating wineries (see also 3.4.4). [Liquor Control and Licensing Regulation, s. 15(7) & (8).]

8.8.4 Bottle labels

Licensees may add decorative labels to products purchased through government liquor stores, provided that the original labels are not removed and it remains possible to clearly read all parts of the original label.

8.8.5 Location of licensed event or area

The licensed area must be in the same place as the event location. If the event occurs at a number of locations, the liquor store manager will issue a licence for each location separately. It is not permitted, for example, to have an event in a local park, with the licensed area at a community hall a few blocks away.

The liquor store manager may issue more than one SOL for separate events that are to be held in one larger location, provided that each SOL event area is clearly separated by permanent or temporary barriers from the other SOL events, so that the place of each SOL is clearly delineated, and liquor is not moved by staff or customers from one SOL area to another.

The store manager may not issue an SOL for a tour bus, any other motor vehicle, or any other means of passenger conveyance in which the presence or use of liquor is prohibited.

The store manager retains general discretion to refuse to issue an SOL for a special occasion to be held in a location where the sale or service of liquor would be against the public interest.

Revised January 2009

8.8.6 Minors

Minors are prohibited from special occasion licensed beer gardens.

8.9 Inspections and Penalties

Revised January 2009

An SOL is a type of licence and, therefore, where the Act and Regulation speaks about "a licence" it refers to an SOL as well as other types of licenses. Police and LCLB liquor inspectors have the right to enter and inspect the premises when an SOL event is in progress. In the event of any violations of the Act or Regulation, police or inspectors may:

- cancel the licence (s. 7(4) of the Act) and
- seize the liquor (s. 70 of the Act).

- In addition, police may file charges under the Act.

SECTION 9: Entertainment

The general manager is responsible for supervising the conduct and operation of licensed establishments – including events licensed under SOLs – and to consider the public interest when setting licence terms and conditions. This includes supervising entertainment provided at licensed special occasions.

Entertainment offered at SOL events must:

- be compatible with the nature of the special occasion,
- not interfere with the licensee's ability to maintain effective management and control of the event and participants (for example, if the entertainment uses part of a licensed area, the licensee is responsible for ensuring that patrons will not be so crowded together that staff will be unable to observe and control their conduct),
- not negatively affect the health and physical safety of the public, staff, performers and patrons (activities that might be considered safe in other settings may not be safe in an environment where alcohol is being consumed because of the effects of alcohol on mental acuity, physical dexterity and judgment),
- not impose noise, nuisance and other negative impacts on nearby residents and businesses, and
- comply with local bylaws.

[Liquor Licensing Policy Manual, s. 11]

Entertainment generally permitted under an SOL includes:

- games of chance, including card games, for amusement only
- live radio and television broadcasts
- recorded music, radio and television broadcasts
- patron-participation sports where the physical safety of performers and patrons is not at risk, such as darts, shuffleboard, foosball, billiards, pool, video arcade style games, basket ball, ice or roller hockey, curling, and bowling
- prize-fighting, kick-boxing, and other contact sports when there is no patron participation, and where the licensee can demonstrate that adequate safeguards are in place to protect patrons, staff, and the public
- computers that offer internet access, and board or card games such as cribbage

Entertainment not permitted under an SOL includes:

- games with payoffs or prizes of any kind
- entertainment or games activities that may jeopardize patron or public safety.

Local governments are given the power under s. 50 of the Act to restrict or prohibit, by bylaw, any form of entertainment, whether permitted under the Liquor Control and Licensing Act and Regulation or under a licence term and condition.

Entertainers in live stage performances may not consume liquor while performing, while on stage in view of patrons, or while in the establishment between performances.

[Liquor Control and Licensing Regulations, section 42(3); Liquor Licensing Policy Manual, s. 11.2.6]

Where adult entertainment is provided at a public special occasion, a description of the entertainment must be posted on a sign at the entrance of the licensed venue to give patrons the opportunity to consider whether the entertainment is to their taste before they enter the establishment.

[Liquor Control and Licensing Act, s. 49(4)]

The store manager or the general manager may impose a licence term or condition that approves, prohibits, restricts or limits any type or form of game or entertainment at an event subject to an SOL. A municipality, regional district, local government, or First Nation may pass a bylaw restricting or prohibiting types of entertainment or games in a licensed establishment.

[Liquor Control and Licensing Act, s. 7(1) and s. 50; Liquor Control and Licensing Regulations, s. 46]

Minors are not permitted to attend a special occasion where adult oriented entertainment is provided.

SOLs are also subject to the entertainment policies set out in s. 11 of the Liquor Licensing Policy Manual as it is amended from time to time.

9.0 Live Performances

Revised September 2008

Live performers and performances range from comedians, singers, musicians and fashion shows, to exotic dancers and other adult-oriented performers – in short, any performance presented live within the establishment. "Live performances" do not include live TV or cable broadcasts or patron-participation entertainment (even though the latter may involve an on-stage element, such as patrons dancing to live music).

Live performances must be compatible with the nature of the special occasion, taking into account the location of the event, whether it is a private or public special occasion, the presence of minors, and other relevant considerations. LCLB regulates live performances to prevent harm to performers, patrons and the larger community and to protect animals from improper treatment.

9.0.1 General conditions for exotic dancing and other adult-oriented performances

Exotic dancing and other adult-oriented performances must meet the following conditions:

- performers must be at least 19 years of age
- exotic dancers and adult-oriented performers may not act as servers or hold any other employment position in the establishment during a period in which they work as an entertainer
- servers must be clothed and may not combine the role of server with or exotic dancing at the patrons' tables or any other type of adult-oriented entertainment

Revised September 2008

- if an entertainer holds another employment position in the establishment they must change out of their entertainer clothing and into clothing typical for the position they are tasked with prior to starting that position.
- entertainers must wear appropriate clothing while walking through the audience, both before and after performances. This clothing may be part of their stage costume however the clothing must provide coverage of the entertainer's breasts and genitalia and
- the performance must take place in an area which is separated from the patrons by some physical barrier such as a stage.

[Liquor Licensing Policy Manual, s. 11]

Revised September 2008

9.0.2 Prohibited acts of adult oriented performer

Prohibited acts during the performance of an exotic dancer or other adult-oriented performer include:

- live sex acts
- realistic and simulated sex acts
- insertion of any object into the anus or vagina
- extraction of any object from the anus or vagina
- urination or defecation
- acts that involve coercion or violence, simulated or real

Revised September 2008

- audience or staff/licensee participation, including touching, sharing food or beverages or passing objects between the dancer/adult-oriented performer and members of the audience. Tipping and the distribution of promotional material are permitted provided there is no physical contact between the entertainers and each other or with and audience member
- the deliberate engagement of a patron or staff member/licensee by an adult-oriented performer to participate in an adult-oriented performance or activity
- dancing or performing on table tops or other areas beyond the separated areas.

[Liquor Licensing Policy Manual, s. 11.2.4]

9.0.3 Performances involving animals

No mammals, reptiles, birds or other animals are permitted in a performance or as entertainment during a licensed special occasion, except as approved by the general manager. (To apply for an exemption to this policy, see Appendix 3: Application for Special Occasion Licence Policy Exemption and select "Other" as the type of exemption.)

[Liquor Licensing Policy Manual, s. 11.2.5]

9.1 Audio, Film, Video and Television

Audio, film, video and television entertainment is subject to the same limitations as other entertainment. Any presentation must be compatible with the nature of the special occasion; not interfere with the licensee's ability to maintain effective management and control of the event; and avoid noise, nuisance, and other negative impacts on nearby residents and businesses. Audio, film, video and television presentations must not portray any activity that would be a prohibited activity if performed live.

[Liquor Control and Licensing Regulation, s. 46; Liquor Licensing Policy Manual, s.11.3]

All film and video presentations must comply with the Motion Picture Act and Regulation, which states:

- no un-rated, restricted, or adult rated film or video may be exhibited
- all film or video exhibitions must be approved by the B.C. Director of Film Classification
- where a public special occasion presents adult-oriented films or videos a sign must be posted at the entrance to the event advising the public of the type of entertainment being provided
- prior to showing a film or video, a licence from the Film Classification Branch is required.

[Liquor Licensing Policy Manual, s. 11.3]

SECTION 10: Role of LCLB

10.0 Policy Exemptions

The SOL application is available from BC liquor stores and some Rural Agency Stores (see Appendix 8: Rural Agency Stores Authorized to Issue SOL Licences). To request any exemptions from SOL policies, the SOL applicant must apply for an exemption – see Appendix 3: Application for Special Occasion Licence Policy Exemption – and send the application to LCLB (see contact information at front of manual).

LCLB will consider the request for exemption and inform the applicant by letter whether his/her request has been granted. The applicant must take the LCLB letter to the liquor store to complete the SOL application process. The liquor store manger always retains the authority to issue (or not issue) the SOL.

10.1 Advice

LCLB will provide advice as requested by store managers, police, local governments, First Nations or the public about SOL policies (see contact information at beginning of this manual). A caller may be referred to a local liquor store or BC Consumer Taxation as appropriate.

With the exception of applications for exemptions from SOL Policy, LCLB provides advice but it is always the liquor store manager who has the authority to grant or refuse to grant an SOL.

10.2 Large Events/Security Plan Guideline

When an SOL applicant also applies for an exemption to SOL policy, and the event the applicant is planning is a large event (he or she expects more than 500 people to attend), the applicant must also fill out and submit a security plan. (See Appendix 7: Security Plan Guideline)

Once LCLB Licensing Division receives the security plan for the event, staff will send an email to the appropriate liquor inspector asking for his or her comments. (A template for this email is available to LCLB staff at Q/Licensing/SOL/Forms/SOL Large Event e-mail.doc.) LCLB staff will also fax the application for an exemption and any relevant correspondence to the local liquor inspector as soon as possible after sending the email.

The local liquor inspector will review and comment on the applicant's safety measures, plans for effective management/control and for addressing any local government/police concerns. The inspector may:

- suggest different or additional measures to promote security and public safety at the event,
- recommend the exemption not be granted, or
- recommend that particular terms and conditions be attached to the granting of the licence.

Liquor inspectors and/or regional managers have five working days from the date of the email advising them of the special event to provide comments on the security plans. If no comments are forthcoming, LCLB will process the exemption application.

SECTION 11: Exemptions From SOL Policy

SOL applicants may apply for exemption from a number of SOL policies, including permission to:

- extend the hours of a special occasion beyond 10:00 pm for outdoor events or 2:00 a.m. for indoor events (requires local government/First Nations and local police approval) – see 8.0
- sell hard liquor (spirits) at a public special occasion (requires local government/First Nations and local police approval) – see 8.2
- charge more for drinks than the prices specified in the liquor price schedule (Appendix 4: Liquor Price Schedule) – see 8.3
- hold more than two SOLs per month or more than 24 per year – see 2.6
- apply for an SOL from outside the province – see 2.5.1

Applicants may also apply for exemption from other policies – for example, to have a multi-day event on one licence and to pay only one fee.

To apply for an exemption, applicants must complete the Application for Special Occasion Licence Policy Exemptions – see Appendix 3: Application for Special Occasion Licence Policy Exemption – and send it by fax or mail to LCLB.

LCLB will fax or email a reply to the applicant. (LCLB staff: If you send a reply by email, convert the file into PDF format and sent it as an attachment to an email.) A fax cover sheet to send an Exemption Form is available to LCLB staff at Q/Licensing/SOL/Forms/Fax Cover Sheet – SOL Exemption form.

LCLB will not accept a letter requesting an exemption, but will instead send the letter writer the Application for Special Occasion Licence Policy Exemptions to be filled out and returned.

SECTION 12: LCLB Processing of Exemption Form

Upon receiving an Application for Special Occasion Licence Policy Exemption, LCLB Licensing Division staff will use the SOL Exemption Request Checklist (found at Q/Licensing/ SOL/Forms/SOL Exemption Request Checklist.doc) to review all exemption requests. This checklist includes:

- Confirming the applicant is eligible for an SOL (see 2.5).
- Confirming the primary purpose of the event is to celebrate a special occasion, not to make a profit (see 2.1), **or**
- If the primary purpose is to make a profit, that the funds raised will be used for a genuine charitable purpose (see 3.3 and 12.2).
- Confirming the special occasion requires an SOL and whether it is a private or public special occasion (see 2.2 and generally 3).
- If the proposed event is a large event (500 or more expected participants), requesting input from the local liquor inspector (see 10.2).
- Confirming the exemption application is complete. Note: if the special occasion is a public event and the exemption request is to sell hard liquor **or** if the exemption request is to extend hours, then local government or First Nation (or CAPE, see 2.7) approval **and** local police approval is required; otherwise, that section of the form does not need to be completed (see section 13) for special procedures for Vancouver).
- Confirming the date(s) and location of the event.
- Confirming that the proposed hours comply with policy (see 8.0).
- Contacting the applicant for any missing information or documentation.
- Checking the record for the applicant's SOL history and ensuring any outstanding documents have been received (see Q/Licensing/SOL/Statistics).
- Sending a form letter to the applicant (by email or fax) stating whether his or her request has been granted or denied (Q/Licensing/SOL/Forms/Decision letter to applicant), and – if the request has been granted – attaching the SOL General Terms and Conditions (Q/Licensing/SOL/Forms/SOL general terms and conditions). (After the draft form letter is approved, staff should add the electronic signature of the Manager of Industry and Local Government Relations, convert the letter to "read-only" PDF[1] and save the Word version.)
- Sending a copy of the form letter to local police (by email or fax) and the local liquor inspector (by email).
- Recording the decision on the spreadsheet (see Excel spread sheets at Q/Licensing/SOL/Statistics). (If the special occasion is a charity event and financial statements are required, staff should BF the file for 60 days from the date of the event.)
- Following up on any missing financial statements by sending a reminder letter (if approval was sent by letter) or email (if approval was sent by email) to the licensee.

1 Converting to PDF format can only be done by authorized LCLB staff

12.0 Exemption – extension of hours

An application for exemption to extend the hours for a special event – beyond 10:00 pm for outdoor events or 2:00 am for indoor events – requires local government or First Nation **and** local police approval. LCLB cannot process the application without these approvals, unless the local government or First Nation and police have signed the SOL application.

The Deputy General Manager, Licensing and Local Government Liaison, must approve decisions respecting extended hours. The Deputy General Manger will indicate this approval by initialing the SOL Exemption Request Checklist.

12.1 Exemption – approval to sell spirits

An application for exemption to sell spirits at a public special occasion requires written approval from both the local government or First Nation and the local police. LCLB cannot process the application without these approvals, unless the SOL application itself specifies that spirits are to be sold and local government or First Nation and police have signed the SOL application.

12.2 Exemption – price exemption for charitable event

LCLB may grant an application for exemption for price relief – intended to allow the applicant to charge more for liquor than allowed by the liquor price schedule (see Appendix 4: Liquor Price Schedule) – for charitable events only.

12.3 Exemption – more licences than permitted

LCLB policy limits an applicant to two SOLs per month or 24 in one year (see 2.6).

Anyone who applies for an exemption to this policy must provide a detailed explanation of his or her need for the exemption, as well as why he or she should not be required to apply for a regular liquor licence if 24 SOLs a year are not sufficient.

12.4 Exemption – out of province applicants

Revised January 2009

Only BC residents, Canadian citizens or persons lawfully admitted to Canada under the *Immigration and Refugee Protection Act* (Canada) for permanent residence, may apply for SOLs. By requiring all other persons to apply for an exemption from this policy, LCLB ensures that special occasions have the necessary community connection or are in the public interest. A typical request for an SOL from an out of province applicant would be made by an Albertan (who is a Canadian citizen or lawfully admitted to Canada) for their wedding to take place in BC. This person no longer needs to apply for an exemption. But a person from Japan or the United States who wanted an SOL for a wedding would have to apply for an exemption.

The Deputy General Manager, Licensing and Local Government Liaison, must approve decisions respecting out-of-province applicants. The Deputy General Manager will indicate this approval by initialing the SOL Exemption Request Checklist.

SECTION 13: Special Occasion Licences in Vancouver

13.0 Public Special Occasions

The Vancouver City Police Department (VPD) processes SOLs for all public special events in Vancouver. The process works like this:

- The SOL applicant contacts the VPD Emergency & Operational Planning Section (EOPS) at 604-717-3076.
- EOPS faxes to the applicant a VPD SOL application form and the LCLB Special Occasion Licence Policy Exemptions Application (if required), or refers applicant to the form – Appendix 3: Application for Special Licence Policy Exemption- if applicable
- The SOL applicant completes the:
- liquor store SOL application *and*
- VPD application *and*, if applicable,
- SOL exemption application
- then faxes the documents to EOPS at (fax) (604) 665-3913.
- EOPS reviews the applications and exemption application and, if the exemption requires local government approval, faxes the material to Vancouver City Hall Special Events for approval (in some cases, approval is given by council resolution).
- If the local government approves the exemption, EOPS will add police comments to the exemption form and complete its consideration of the application.
- After the City approves the exemption and EOPS gives preliminary approval to the event, the applicant sends the completed SOL exemption application to LCLB (see contact information at the front of the manual).
- The applicant sends a copy of the LCLB exemption approval letter to EOPS.

It may take from six weeks to six months to obtain a special occasion license for a public special event in Vancouver, depending on the size of the event, the time of year its is to take place, and the uniqueness of the event.

LCLB is still responsible for deciding exemption requests from the SOL policy for public events in Vancouver. The exemption request response is copied by fax to the Vancouver Police Department at EOPS.

The liquor store manager, LCLB and the VPD all have authority to approve or deny the applications they are responsible for. The special event cannot take place without the SOL licence from both the liquor store manager and the VPD and the exemption approval, if required, from LCLB.

13.1 Private Special Occasions

For private special occasions in the City of Vancouver, the liquor store manager sends a copy of the SOL application – and LCLB sends a copy of the exemption application (if any) and LCLB response – to the City of Vancouver, for information only, attention:

License Coordinator
Licenses and Inspections
Community Services Group
City of Vancouver
453 West 12th Avenue
Vancouver BC
Telephone: (604) 871 – 6461
Fax: (604) 871 – 6394

The VPD does not receive a copy of the SOL application or the exemption response.

SECTION 14: Frequently Asked Questions

		Types and sources of liquor
1.	Question: Answer:	Can an SOL licensee purchase kegs of beer directly from a brewery? Yes, see 7.0 & 8.4.
2.	Question: Answer:	Are spirit-based coolers, such as Smirnoff Ice or Mike's Hard Lemonade, considered "hard liquor" or "spirits" and do they require an exemption to allow their sale or service? No. Spirit-based coolers are not considered hard liquor or spirits. They do not require an exemption to allow their sale or service.
3.	Question: Answer:	Can a manufacturer bring products from its warehouse to a tasting event licensed by a private or public SOL? No. Products used at a tasting event that is licensed by an SOL must be purchased from the LDB, an approved Rural Agency Store or an on-site winery or brewery store.
4.	Question: Answer:	Can I serve UBrew/UVin product or homemade beer or wine at my wedding, which I am holding under an SOL? No. UBrew, UVin and homemade products cannot be sold or served at any licensed event (or in any licensed establishment). See 7.0 & 8.4.
5.	Question: Answer:	Can I bring liquor from another province or another country to serve at a special occasion? No. All liquor served or sold at a special occasion licensed in BC must be purchased for the special occasion from an authorized vendor in BC. See 7.0 & 8.4.
6.	Question: Answer:	Can the liquor for a special occasion be brought by the guests? Is a BYOB event okay? No. Licensees must not permit guests to bring their own liquor to the special occasion. Bring your own liquor ("BYOB") events cannot be licensed.
		Administration
7.	Question: Answer:	What does a liquor inspector do when notified of a large special occasion? The Inspector reviews the security plans for the event and police and local government comments and advises LCLB HQ whether the planning for the large event is sufficient to maintain public order. See 10.2.

8.	Question: Answer:	Can a commercial enterprise obtain an SOL? Commercial enterprises, businesses or event planners are generally not eligible to apply for SOLs – see 2.6.1, 2.6.2, 3.0.1, 3.4, 3.5 and 3.1 for exceptions to this general rule – in order to prevent SOLs from being used by a profit-making business venture (a circuit party, for example). Under s. 7(2) of the Liquor Control and Licensing Act, an SOL may not be issued for the purpose of making a profit, unless the event is to raise funds for charity. Where a person or organization who is eligible to apply for an SOL hires an event organizer or a manager to plan and run the event, the person or organization hosting the event, not the paid help, must apply for the licence.
9.	Question: Answer:	Can an event organizer take care of the licensing requirements when hired to plan and manage a special occasion? No. Under s. 7(2) of the Liquor Control and Licensing Act, a liquor store manager may not issue an SOL for an event that is being held for the purpose of making a profit, unless the event is to raise funds for charity. To ensure store managers do not issue licences for profit-making ventures, LCLB policy requires that the application be made by the person or organization hosting the event, not a hired event organizer.
10.	Question: Answer:	Can a caterer or person hired to look after the bar at a private special occasion apply for and take out the SOL? No. Under s. 7(2) of the Liquor Control and Licensing Act, a liquor store manager may not issue an SOL to an event that is being held for the purpose of making a profit, unless the event is to raise funds for charity. To ensure store managers do not issue licences for profit-making ventures, LCLB policy requires that the application be made by the person or organization hosting the event, not hired staff.
11.	Question: Answer:	Is an SOL needed for a staff party? An SOL is not required for a staff party if the party is held in a closed office or business premise that is not regularly licensed; however, the party must be restricted to the owners or employers and employees and their guests and liquor may be served but not sold – see 2.3. If the business premise is a regularly licensed establishment, then an SOL will be required unless the staff party can be held while conforming to all the terms and conditions of the license – see 3.0.1
12.	Question: Answer:	Is an SOL needed for a private party at a business premise? An SOL is not required for a private party at a business premise which is not regularly licensed if the party is held when the business is closed: however, the party must be restricted to the employer or business owner and employees and their guests – see 2.3.

		Serving It Right / Responsible Beverage Service
13.	Question: Answer:	Does the SOL applicant always have to have the Serving It Right (SIR) certification? An applicant who is hosting a private special event as an individual does not need to have the SIR certification. See 5.0.
14.	Question: Answer:	The store manager said the police insist I have an SIR certificate to host my private special event. Is it really required? Section 43(7) of the Liquor Control and Licensing Regulation sets out who has to have an SIR certification. An applicant does not need the SIR certificate to obtain an SOL for a private occasion which that person is hosting. (If the person is getting the SOL for an organization, association or other organized group of people, then that person must have the SIR for licensees certificate. See 5.0.)
15.	Question: Answer:	Can an applicant use the SIR certificate number of an event manager or caterer? No. If the applicant must have the SIR certification before applying for an SOL, then that applicant must have taken the SIR course and obtained a certificate. An applicant for a private special event, such as a wedding, does not need to complete the SIR course (unless the applicant is getting the licence for an organization). Do not put the SIR certificate number of the event manager or caterer on the application.
16.	Question: Answer:	Do all paid and unpaid managers of licensed special events require a Serving It Right Certificate? Yes. All paid and unpaid managers require the SIR certificate. See 5.0.
17.	Question: Answer:	Do all servers of alcohol require the Serving It Right certificate? Only paid servers require a certificate. Unpaid servers are not required to have a certificate. See 5.0.
		Miscellaneous
18.	Question: Answer:	Is the person named on the SOL as the licensee liable for accidents and injuries related to the special event? The person named on the SOL as the licensee has a legal responsibility to ensure that the requirements of the Liquor Control and Licensing Act and Regulation are followed. If alcohol is served to someone who becomes impaired as a result, the licensee may be held legally liable for that person's subsequent behaviour including injuries caused by that person driving. See 5.4

19.	Question: Answer:	Can minors attend a licensed special occasion? Minors are permitted to be present at a licensed special occasion as non-drinking patrons or entertainers, unless the special occasion is devoted primarily to tasting liquor products or unless LCLB, store manager or police have prohibited minors from attending. The special occasion is what is licensed, not particular parts of the event location. The store manger or the police may specify on the licence application that minors will not be allowed in those places that are devoted to the service of liquor. For example, at a community fair which has an SOL, the licence may specify that minors are not allowed in the area set aside for a beer garden. The licensee may also specify that minors will not be allowed in places where liquor is served.
20.	Question: Answer:	Can the licensee get a refund on the estimated provincial sales tax paid at the time of purchasing the liquor if the revenue is less than expected or if the event is cancelled? Yes. Apply at the liquor store before the event or to the Consumer Taxation Branch after the event. See 7.1
21.	Question: Answer:	At a tasting, what size of serving can be offered? In most circumstances, product tasting serving sizes may not exceed 4 oz. (114 ml) for beer, cider and coolers, 2 oz. (60 ml) for wine, and ½ oz. (15 ml) for spirits. See 3.4.1, 3.4.2, 3.4.4 & 3.5.1.
22.	Question: Answer:	Can liquor be sold for a donation instead of a fixed price? No. Liquor may not be sold "by donation" (the price being the purchaser's voluntary donation) rather than at a set price, because it would be impossible to estimate projected revenue, to know if the liquor was being sold at unreasonably low or high prices or to ensure that no element of coercion or undue pressure to donate was being applied. The licensee may, however, set up a donation box at a location well separated from the place from which the liquor is being served for donations to assist with the cost of the full event. The licensee may also "pass the hat" for donations during the event to help defray the costs.

Appendix 1: Liquor Control & Licensing Branch Regional Offices

Okanagan/Kootenay

Cranbrook
BC Access Centre
100 Cranbrook St. N.
Cranbrook, V1C 3P9
(250) 426-1562

Kamloops
#250 - 455 Columbia St.
Kamloops, V2C 6K4
(250) 828-4720

Kelowna
#202 - 1420 St. Paul Street
Kelowna, V1Y 2E6
(250) 861-7418

Nelson
#110 - 310 Ward Street
Nelson, V1L 5S4
(250) 354-6747

Penticton
c/o Government Agent
112 - 100 Main Street
Penticton, V2A 5A5
492-1293

Vernon
#38 - 3201 30th St.
Vernon, V1T 9G3
(250) 549-5614

Northern

Fort St. John
BC Access Centre
10600-100th St.
Fort St. John, V1J 4L6
(250)787-3345

Prince George
1044 5th Ave.
Prince George, V2L 5G4
(250) 565-6993

Terrace
BC Access Centre
#107 - 3220 Eby St.
Terrace, V8G 5K8
(250) 638-6544

Pemberton

1366 Aster Street
Pemberton, V0N 2L0
(604) 894-5623

Surrey Office (604)

Suite 101 - 9180 King George Hwy.
Surrey, V3V 5V9
(604) 586-2641

Vancouver Office

133 East 8th Avenue
Vancouver, V5T 1R8
(604) 775-0100

Vancouver Island

Campbell River
BC Access Centre
115-1180 Ironwood St,
Campbell River. V9W 5P7
(250) 286-7654

Nanaimo
BC Access Centre
460 Selby St.
Nanaimo, V9R 2R7
(250) 741-3624

Victoria
2nd Floor, 1019 Wharf St.
Victoria, V8W 2Y9
(250) 387-1254

Appendix 2: Committee to Approve Public Events (CAPE)

Introduction

A Committee to Approve Public Events (CAPE) is a locally based committee with the mandate to approve in principle **public** special occasion licences (SOLs) held within that municipality, First Nation or regional district.

A CAPE monitors the number of SOLs granted within a community and ensures that SOLs are not used as an alternative to obtaining a regular liquor licence. As well, the committee provides a means for a local community to take active control of public event licensing and helps ensure that all parties who have an interest in, and are affected by, these events can participate in the process.

How to Establish a CAPE

Establishing a CAPE is the responsibility of the local government or First Nation.

A CAPE should contain, at a minimum, a representative from:

- local government or First Nation band council
- local police
- local (regular) liquor licensees, and
- the Liquor Control and Licensing Branch.

Other representatives may also serve on the CAPE, such as Liquor Distribution Branch store managers. The local government/First Nation representative would normally act as the chairperson of the committee.

CAPE Responsibilities

A CAPE is responsible for:

- scheduling a meeting to set policy – such as the geographical areas the committee is to serve, frequency of meetings, deadlines for applications, etc.
- informing the LDB store managers(s) in the jurisdiction where public event SOL applications are to be sent
- notifying groups that have held public event SOLs in the past and informing them of the new application procedure
- advertising in the local newspaper if applicants must apply by a fixed date
- notifying an applicant for a public special occasion SOL whether his or her application has been accepted or rejected, and
- directing successful applicants to a liquor store manager who will issue the public event SOL.

It shares responsibility with LCLB and liquor store managers for determining:

- the maximum number of public event SOLs to be granted in the jurisdiction each year
- that each event is in the community interest and conforms to the policy criteria for the approval of public events
- that each applicant is eligible – that is, that the applicant is a member of a genuine organization and the organization is not fronting for another organization or individual
- that, if drink price maximums are to be exceeded, the applicant will obtain approval to do so from LCLB
- whether additional restrictions should be imposed, such as hours, location, etc.

A CAPE may be responsible for more than one municipality or electoral area within a regional district. In such a situation, different RCMP detachments, liquor inspectors, regular licensees and municipal police

forces may be involved. Each interest group should either be adequately represented or have delegated approval authority to a member of the Committee.

Questions about a CAPE may be directed to the Liquor Control and Licensing Branch.

Appendix 3: Application for Special Occasion Licence Policy Exemption

BRITISH COLUMBIA

Ministry of Public Safety and Solicitor General | Liquor Control and Licensing Branch | Mailing Address: PO Box 9292 Stn Prov Govt Victoria BC V8W 9J8 Telephone: 250 387-1254 Facsimile: 250 387-9184 | Location: Second Floor 1019 Wharf Street Victoria

APPLICATION FOR SPECIAL OCCASION LICENCE POLICY EXEMPTIONS

Branch Use Only ☐ **Approved** ☐ **Not approved**

Use this application if you want to apply for one or more of the following policy exemptions:

- extend the hours for your event beyond 10:00 pm for outdoor events or 2:00 am for indoor events (***requires local government/First Nations and local police approval***)
- sell hard liquor at a public special event (***before you apply for an exemption from us you must have police and local government/First Nations approval***)
- charge more than the Special Occasion Licence - Liquor Price Schedule permits
- hold more than two Special Occasion Licences per month or more than 24 per year
- out-of-province applicant requesting a Special Occasion Licence

Return the completed application by mail or fax to the Licensing Unit at the location listed above. The Licensing Unit must receive your completed application at least **two weeks** prior to the event in order to allow sufficient time for processing. Incomplete applications or applications received less than two weeks prior to an event may not be approved.

If the application you submit is complete, the Branch will consider your request and you will be notified as to whether your application has been approved. **Note, unless you indicate otherwise, you will be notified of our decision via e-mail.**

COMPLETING THIS FORM:
You may complete this application at your computer, then print the number of copies you need but please note, you will not be able to save the entered data. If you are completing this application by hand, please print clearly using dark ink. If you have any questions call the Branch toll-free at 1-866-209-2111. LCLB forms and supporting materials referred to in this document can be found at **www.pssg.gov.bc.ca/lclb/publications**

PART 1: APPLICANT AND ORGANIZATION INFORMATION

Date(s) of your event:

Applicant Name: E-mail:
LAST NAME / FIRST NAME / MIDDLE NAME

Phone: ( ) Cell: ( ) Fax: ( )

NOTE: The applicant must be a member of the organization hosting the event or an individual who is seeking an exemption as an out-of-province applicant. The applicant for an exemption to policy must be the same individual applying for the Special Occasion Licence.

Name of organization:

Applicant's position in organization:

If organization is a registered society, please provide the registration number: #

NOTE: To qualify as a genuine organization you must be registered under the Society Act or be an organized group that meets for a common purpose. The purpose may be social, cultural, recreational, religious, sporting or community-related. The Branch may ask you for proof of your association with the organization.

Address of organization:

City: Province: Postal Code:

Phone: ( ) Cell Phone: ( ) Fax: ( )

PART 2: EXEMPTIONS

If you are requesting an extension to hours beyond 10:00 pm for an outdoor event and/or requesting to sell hard liquor (spirits or liqueurs) at a public event, you must have your local government/First Nations and local police complete Part 3 of this application, **before** you submit your application for an exemption.

Check the exemption(s) for which you are applying:

- ❒ extend the hours for your event beyond 10:00 pm for outdoor events or 2:00 a.m. for indoor ***requires local government/ First Nations and local police approval***
- ❒ sell hard liquor at a public special event ***requires local government/First Nations and local police approval***
- ❒ charge more for drinks than the prices specified in the "Special Occasion Licence – Liquor Price Schedule" (LCLB031a)
- ❒ hold more than two Special Occasion Licences per month or hold more than 24 per year
- ❒ out-of-province applicant requesting a Special Occasion Licence
- ❒ other (please describe)

PART 3: LOCAL GOVERNMENT/FIRST NATIONS AND POLICE COMMENT

This box is to be completed by the local government/First Nation and police when an applicant is requesting an extension to hours for an outdoor event beyond 10:00 pm and/or requesting to sell hard liquor (spirits or liqueurs) at a public event.

Local Police:

Local Police Jurisdiction:

Name of official:

Position title: E-mail:

❒ Approved ❒ Not Approved

Comments:

Signature of Police Official: Date:

Local Government/First Nations:

Local Government/First Nations jurisdiction:

Name of official:

Position title:

❒ Approved ❒ Not Approved

Comments:

Signature of Local Government/First Nations Official: Date:

PART 4: EVENT INFORMATION

Type of event:

❑ wedding ❑ festival ❑ banquet ❑ dance ❑ other type of event (Please indicate type; be specific):

Where the event is being held: ❑ indoors ❑ outdoors ❑ on a motor vessel

The event is:

❑ public event *or* ❑ private event *or* ❑ both public and private event *(for example, a public "beer" garden at a ball tournament with a private dance)*

NOTE: A **public event** is a community or public celebration, such as a community festival or outdoor concert. It can be held in a place that is open to, or in view of, the public such as a park, open room in a community centre, a business open to the public or an outdoor location. Anyone can attend.

A **private event** is an event where attendance is limited to invited guests, advance ticket holders, or an organization's members and staff. Entry tickets for a private event must be sold prior to the event commencing. For example, if the event is slated to begin at 8:00 pm, all tickets must be sold prior to 8:00 pm in order to qualify for a private event Special Occasion Licence. A private event may be social, cultural, recreational, religious, sporting or community oriented.

Is your event being organized by a promoter? ❑ Yes ❑ No

If yes, indicate the name of the promoter and the name of the company the promoter represents:

Name of Promoter (contact):

Company:

Indicate the approximate number of people attending the event: over the age of 19 and minors

If the total number of people (all ages) expected to attend the event **exceeds 500**, you must include with this application:

- a copy of your security plan which details:
  - the number of security staff on site;
  - whether security staff are security agents or volunteers; and
  - the number of serving staff on site.
- a site map of the proposed location indicating where fencing and/or barriers will enclose a licensed area;
- a contact name, the person's title, phone number, and alternate numbers, cell phone, and/or pager of the contact who will be available to a Liquor Inspector for further information if required.

If minors will be attending the event, will minors be present within the liquor consumption area? ❑ Yes ❑ No

(If you have more entries than this form allows, record on separate sheet and attach.)

What are the proposed days and hours of the event?

Date:	Time:	❑ a.m. ❑ p.m.	*to*	❑ a.m. ❑ p.m.	
Date:	Time:	❑ a.m. ❑ p.m.	*to*	❑ a.m. ❑ p.m.	
Date:	Time:	❑ a.m. ❑ p.m.	*to*	❑ a.m. ❑ p.m.	

What are the event opening and closing times for liquor service (some days of the event may have multiple functions to be accounted for):

1) Date: Function: ❑ public ❑ private

Time liquor service opens: ❑ a.m. ❑ p.m. Time liquor service closes: ❑ a.m. ❑ p.m.

2) Date: Function: ❑ public ❑ private

Time liquor service opens: ❑ a.m. ❑ p.m. Time liquor service closes: ❑ a.m. ❑ p.m.

3) Date: Function: ❑ public ❑ private

Time liquor service opens: ❑ a.m. ❑ p.m. Time liquor service closes: ❑ a.m. ❑ p.m.

4) Date: Function: ❑ public ❑ private

Time liquor service opens: ❑ a.m. ❑ p.m. Time liquor service closes: ❑ a.m. ❑ p.m.

Location(s) of event

Name of the facility where event is being held:

Address of the facility:

City: Province: B.C. Phone: ( )

You must purchase your liquor from a B.C. Liquor Store or another source approved by the Liquor Distribution Branch. You are not permitted to purchase your liquor from a private retail liquor store.

At which Government Liquor Store do you expect to apply for your Special Occasion Licence and purchase the liquor for your event?

Address of government liquor store: City:

Phone number (*if known*): ( )

You may not provide home-made beer or wine or UBrew/UVin products, or allow the people attending the event to bring their own liquor, at either a private or public special event.

PART 5: LIQUOR PRICE EXEMPTION

If you are requesting a liquor price exemption for a charitable purpose, indicate how your cause meets the definition of a charitable purpose.

The charitable purpose of the event for which this exemption application has been submitted is for:

- ❑ The relief of poverty;

or the advancement of:

- ❑ education
- ❑ religion
- ❑ recreation
- ❑ sports or athletics
- ❑ aid to the disabled and handicapped
- ❑ culture
- ❑ youth or senior citizens
- ❑ other purpose beneficial to the community (*please describe*):

In the space below, describe how the profits from this event will be used. For example: the profits of this event will go to the XYZ Society to purchase an ABC machine; or the profits will be used to reduce the annual fee for children wishing to play league football.

NOTE: You must donate your **total profits**, not just profits from the bar, and you must provide proof of your donation within 60 days of the event.

This proof must include a financial statement that addresses the event's revenues and expenses, as well as a copy of any media coverage, or any document indicating that the charity received the profits such as a letter of thanks. A political party is not a charitable organization and therefore not eligible for price relief.

What types of liquor do you want to serve and what do you want to charge?

❑ Spirits, including liqueurs (1 oz or 28 ml)	Requested price: $
❑ Spirits, including liqueurs (1.5 oz or 43 ml)	Requested price: $
❑ Coolers (can, bottle or serving up to 355 ml)	Requested price: $
❑ Bottled or canned cider (up to 355 ml)	Requested price: $
❑ Draught cider (12 oz or up to 355 ml)	Requested price: $
❑ Draught beer (12 oz or up to 355 ml)	Requested price: $
❑ Bottled or canned beer (12 oz or up to 355 ml)	Requested price: $
❑ Wine (4 oz glass or full bottle)	Requested percentage mark-up: %

If you are hosting multiple events and you intend to serve different types of liquor at the separate events, please indicate which type of liquor you will serve at each event.

1) Function:	❑spirits	❑coolers	❑draughts	❑bottled beer/cider	❑wine
2) Function:	❑spirits	❑coolers	❑draughts	❑bottled beer/cider	❑wine
3) Function:	❑spirits	❑coolers	❑draughts	❑bottled beer/cider	❑wine
4) Function:	❑spirits	❑coolers	❑draughts	❑bottled beer/cider	❑wine
5) Function:	❑spirits	❑coolers	❑draughts	❑bottled beer/cider	❑wine
6) Function:	❑spirits	❑coolers	❑draughts	❑bottled beer/cider	❑wine

PART 6: DECLARATION

My signature (the applicant's) below indicates I understand and acknowledge
All of the information given is true and complete to the best of my knowledge. Section 15(2) of the *Liquor Control and Licensing Act* states, "A person applying for the issue, renewal, transfer or amendment of a licence who fails to disclose a material fact required by the form of application or makes a false or misleading statement in the form of application, commits an offence".

SIGNATURE OF APPLICANT

DATE SIGNED

IMPORTANT NOTE: This information is collected under the authority of the Liquor Control and Licensing Act (RSBC 1996, c. 267, s. 15). The information provided will be used only by ministry staff in consideration of your application for an exemption to policy for a special occasion licence. If you have any questions about the collection, use or disclosure of this information, contact the Liquor Control and Licensing Branch.

Questions about completing this application?
Call the branch toll-free at 1-866-209-2111

Appendix 4: Liquor Price Schedule

BRITISH COLUMBIA

Ministry of Public Safety and Solicitor General

Liquor Control and Licensing Branch

Mailing Address:
PO Box 9292 Stn Prov Govt
Victoria BC V8W 9J8
Telephone: 250 387-1254
Facsimile: 250 387-0196

Location:
Second Floor
1019 Wharf Street
Victoria

SPECIAL OCCASION LICENCE – LIQUOR PRICE SCHEDULE

The following liquor prices are **maximums**.

	SERVING SIZE	PUBLIC or PRIVATE FUNCTION with 10% PST	PUBLIC or PRIVATE FUNCTION with PST & GST*
Spirits	1 oz. (28 ml) 1.5 oz. (43 ml)	$3.00 $4.00	$3.19 $4.25
Packaged Beer, Cider or Cooler	Can or bottle (up to 355 ml)	$4.00	$4.25
Beer, Cider or Cooler	By the glass 12 oz. (up to 355 ml)	$4.00	$4.25
Wine	4 oz. glass (up to 114 ml) or full bottle	no more than 100% markup over purchase price	no more than 100% markup over purchase price + 7% GST

The above prices are intended to cover the "operating costs" of serving or selling liquor and include the cost of liquor, mix, glasses, ice and taxes. The prices do not include costs such as hall rental, entertainment or security.

The prices are **maxiumum** and may only be exceeded when authorized by the Liquor Control and Licensing Branch. If the purpose of the event is to raise funds for charity, the event organizers may wish to exceed the prices listed. To do so, they must apply in writing well in advance of the event (at least two weeks prior) by completing the **Special Occasion Licence Policy Exemption Application Form** (LCLB031) available on the following website: **www.pssg.gov.bc.ca/lclb/publications/index.htm**

*Only organizations with a GST registration number on their Special Occasion Licence may include the GST in the price.

More information on Social Service Tax (commonly referred to as "PST") and Special Occasion Licences is available on the Ministry of Provincial Revenue website: **www.rev.gov.bc.ca**

LCLB031a (Rev 01/2005)

Appendix 5: Financial Statement for Charitable SOL

BRITISH COLUMBIA

Ministry of Public Safety and Solicitor General | Liquor Control and Licensing Branch | Mailing Address: PO Box 9292 Stn Prov Govt Victoria BC V8W 9J8 Telephone: 250 387-1254 Facsimile: 250 387-9184 | Location: Second Floor 1019 Wharf Street Victoria

SPECIAL OCCASION LICENCE — FINANCIAL STATEMENT

Name of Licensee:

Event Date: (day / month / year)

Note:
Cells below contain formulas
(no data entry necessary)

REVENUES:	Gross	Taxes	Net
Ticket Sales			
Fundraising			
Donations			
Permits and Fees			
Concession			
Liquor Sales			
Food Sales			
Hall Rental			
Interest and Other			
Membership Dues			
Other *(specify)*:			
Miscellaneous			
TOTAL REVENUES			

EXPENDITURES:	Gross	Taxes	Net
Special Occasion Licence			
Liquor (Spirits, Wine & Beer)			
Food			
Advertising			
Venue			
Equipment Rentals			
Staff			
Permits & Fees			
Decorations			
Communcation Costs			
Insurance			
Bank Charges			
Administration (office supplies, postage, etc.)			
Other *(specify)*			
Miscellaneous			
TOTAL EXPENDITURES			

Net Profit/Loss (Revenue less Expenditures):

If profit, state name of charitable organization that received the profit:

Appendix 6: Special Occasion Licence Application Form

SAMPLE ONLY The sample application on the following two pages is a copy of the front and back of the application form. However, as the actual form is a multi-page, carbon form, **do NOT copy these samples for applicant use** – they are for reference only.

BRITISH COLUMBIA

Ministry of Public Safety and Solicitor General
Liquor Control and Licensing Branch

The information provided on this application will be a part of the Special Occasion Licence if issued. Please ensure that the information provided is accurate and complete. This information is collected under the authority of the Liquor Control and Licensing Act (RSBC 1996, c.267). The information provided will be used to process an application for a Special Occasion Licence and may be shared with representatives of the Liquor Distribution Branch, the Liquor Control and Licensing Branch, police agencies, and local government. It may also be released to other parties upon request. If you have any questions about the collection and use of this information, contact the Liquor Control and Licensing Branch at 2nd Floor, 1019 Wharf Street, Victoria, BC V8W 1L8, Telephone: 250 387-1254

APPLICATION FOR SPECIAL OCCASION LICENCE

PERSONAL INFORMATION	ORGANIZATION INFORMATION
NAME	NAME OF ORGANIZATION
HOME ADDRESS	ADDRESS OF ORGANIZATION
CITY PHONE NUMBER	CITY POSTAL CODE
YOUR "SERVING IT RIGHT" LICENSEE NUMBER	

TYPE OF SPECIAL OCCASION LICENCE APPLYING FOR

☐ PRIVATE EVENT $25 ☐ PUBLIC EVENT $100 ☐ MANUFACTURER PROMOTION/RESEARCH

DESCRIPTION OF EVENT

EVENT DETAILS (shaded areas for store use only)

LOCATION OF EVENT	ADDRESS	DESIGNATED AREA WHERE LIQUOR WILL BE CONSUMED

DATE OF EVENT	APPROX # OF ATTENDEES	TIME OF EVENT FROM	TO	FEE (INCL. PST)	LICENCE NO.

LIQUOR QUANTITIES AND PRICES*

LIQUOR	QUANTITY	PRICE
Packaged Beer		$ per bottle/can
Draught Beer		$ per 12 oz. glass
Packaged Cooler/Cider		$ per bottle/can
Draught Cider		$ per 12 oz. glass
Wine		$ per bottle
Wine		$ per 4 oz. glass
Spirits		$ per oz.

** Subject to Liquor Price Schedule maximums*

LIQUOR STORE MANAGER'S COMMENTS

STORE NAME STORE #

MGR. PHONE #

POLICE COMMENTS/ENDORSEMENT

DECLARATION: I hereby make application for a Special Occasion Licence under section 6 of the *Liquor Control and Licensing Act* to purchase for consumption at the time(s), date(s) and place as set out above. I am qualified to purchase liquor pursuant to the Government *Liquor Control and Licensing Act*, and I have read and understand the regulations printed on the reverse of this form. I understand that any person who makes a false statement when applying for a licence, commits an offence.

UBREW/UVIN AND HOMEMADE WINES OR BEERS ARE NOT PERMITTED AT THIS EVENT

SIGNATURE DATE

Attach this original application form to your licence(s). This original application and the licence(s) must be prominently displayed during the event.

WHITE: APPLICANT *PINK: LIQUOR STORE MANAGER* *CANARY: POLICE*

LIQUOR CONTROL AND LICENSING REGULATIONS
DIVISION 3 SECTION 15 – SPECIAL OCCASION LICENCES

(1) The general manager must determine how frequently special occasion licences may be issued to an applicant and the days and hours during which each special occasion licence will be in effect.

(2) A person issuing a special occasion licence under section 7 of the Act must endorse on the licence the maximum retail prices at which liquor may be sold and, except in the case of charitable events, the maximum retail prices of drinks served are to be set so as to recover only the operating costs of the event.

(3) For the purposes of section 35 (c) of the Act, minors may be in a licensed establishment when a special occasion licence is in effect.

(4) The local police authority or a delegate of the general manager must approve the application for a special occasion licence before that licence is issued.

(5) If the general manager delegates to a person other than a member of the local police authority the power to approve an application for a special occasion licence, the person issuing the special occasion licence must, if directed to do so by the general manager, inform the local police authority, before the event to which the licence relates, of the nature, time and place of the event.

(6) All liquor that is sold or served under a special occasion licence must be sold or served and consumed in the licensed establishment.

(7) Subject to subsection (8) of this section, a person must not in any advertisement or other promotion of an event indicate that liquor will be sold or served.

(8) In the case of an event held under a public special occasion licence, at which a number of manufacturers of wine, beer or other liquor are conducting tastings at one location, the event organizer may advertise the name of the event followed by the names of the participating liquor manufacturers.

(9) If an event for which a special occasion licence is to be issued is to be held on lands or premises owned or operated by a local government or first nation or by the Provincial or Federal Government, the applicant must, before issuance of the licence, produce written permission for the event signed by an authorized official of that government or first nation.

(10) A licensed establishment in which liquor is sold or provided under a special occasion licence must be enclosed and all means of access to the establishment must be supervised to the satisfaction of the local police authority.

(11) Promptly after a special occasion licence has been cancelled or suspended under section 7, 20 or 22 of the Act, the licensee must surrender the licence to the general manager or to a delegate of the general manager.

WARNING

The applicant should be aware that by Section 7(1) of the Liquor Control and Licensing Act, a Special Occasion Licence is issued only for the function named in the licence and is subject to its terms and those contained in the Act and regulations. Furthermore, if there is a breach of the Special Occasion Licence, the Act or regulations, a peace officer may issue a warning, cancel the licence, seize the liquor or proceed with charges under the Act.

PROVINCIAL SALES TAX
The responsibility of the organizer for the collection and remittance of Provincial Sales Tax is detailed on the Special Occasion Licence.

RESTOCKING CHARGE
"It is understood by the applicant that a charge of 10 per cent of the total value of the return will be applied where the value of the merchandise returned exceeds $200 and the proof of purchase will be required before a refund will be considered."

BRITISH COLUMBIA

Ministry of Public Safety and Solicitor General
Liquor Control and Licensing Branch

Appendix 7: Security Plan Guideline

Security Plan Guideline for Large Events Liquor Control and Licensing Branch

A Security Plan is required for anyone organizing a large special event, with more than 500 people expected to attend.

The following is a model that you – the special occasion organizer(s) for a large event– may choose to follow, or you may develop you own Security Plan.

LCLB will review your Security Plan to determine that you will be able to:

- ensure that no intoxicated person is served
- prevent disturbances and accidents
- mitigate risk by knowing when to call the police
- prevent unauthorized liquor on the premises during the event, and
- not serve minors.

Space and Capacity

1. If the location where you are holding this event is licensed:

   a) what is the person capacity of the licensed area – including any patios or secondary rooms – as listed on the liquor licence? _____

   b) what is the occupant load issued by the fire authority? _____

2. If the location where you are holding this event is not licensed, what is the occupant load issued by the fire authority? _____

3. How many people (approximately) do you expect to attend the event? _____

4. How will people gain admission to the event? (check all that apply)

   - ❑ Pre-sold Tickets
   - ❑ Invitation
   - ❑ Purchase tickets at the door
   - ❑ Guest book sign in
   - ❑ Free admission
   - ❑ Other (specify) _____

5. What physical control barriers (i.e., fencing, barricading, walls, locked or limited access doors) will be in place to control and limit access to and from areas where alcohol is being sold or served?

_____

_____

_____

_____

6. Please provide a detailed diagram of the event site, showing control measures limiting access to and from areas where liquor will be sold.

Security

7. How many door staff are scheduled for the event? (Note: depending on the specifics of room layout and the nature of the event, the usual minimum ratio of door staff to patrons is 1:50).

_____

8. Identify the number of persons from each category below responsible for door entry and security:

____ Police
____ Volunteers
____ Licensed Security Company (specify name)
_____
____ Individuals hired by yourself or by the event sponsor

Minors

9. Is the event "all ages" or 19 and over only?

___ All Ages ____ 19 and Over Only

10. If the event is all ages, please explain in detail what measures are in place to prevent under-aged individuals from obtaining alcohol at the event.

Wrist-banding procedure:

_____
_____
_____

ID-checking procedure:

_____
_____
_____

Signage:

_____
_____
_____

Other:

_____
_____

Appendix 8: Rural Agency Stores Authorized to Issue SOL Licenses

R.C.M.P. Detachments	Agency Store Location
Anahim Lake Det	**Anahim Lake Agency #702** Christensen General Store Anahim Lake, BC V0L 1C0
Bella Bella Det	**Bella Bella Agency #790** Bella Bella Band Store P.O. 879 Waglisa, BC V0T 1Z0
Dease Lake Det	**Dease Lake Agency #774** South Dease Service Ltd. Box 160 Dease Lake, BC V0C 1L0
Falkland Det	**Falkland Agency #835** Falkland Stores Ltd. General Delivery Falkland, BC V0E 1W0
Lytton Det	**Boston Bar Agency #833** Fraser Canyon Market Box 178, Trans Canada Hwy Boston Bar, BC V0K 1C0
Quadra Island Det	**Quathiaski Cove #756** Quadra Foods Box 187 Quathiaski Cove, BC V0P 1N0
Quadra Island Det	**Quadra Island Agency #847** Heriot Bay Store Heriot Bay, Quadra Island, BC V0P 1H0
Sayward Det	**Sayward Agency #839** Lalonde's Food Market Ltd. Box 107 Sayward, BC V0P 1R0

Texada Island Det

BC

Updated: July 18, 2005

Gillies Bay Agency #853
Gillies Bay General Store
Box 122
Gillies Bay, Texada Island,

V0N 3K0

Appendix 9: Templates on Q:Drive

Forms, form letters and fax cover sheets commonly required by LCLB staff are found at Q:\S8603_SG_LCL_ReferenceData\SOL Templates (available to LCLB staff only). These include:

- fax cover sheet – SOL Exemption form to applicant
- fax cover sheet – SOL notice Delta
- fax cover sheet – SOL notice Vancouver
- fax cover sheet
- SOL general terms and conditions
- decision letter to applicant - a form letter with various optional paragraphs to respond to requests for exemptions
- SOL large event email
- SOL exemption request checklist
- financial report reminder.